

THE NATIONAL ARCHIVES FEDERAL REGISTER OF THE UNITED STATES

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TITLE 3—THE PRESIDENT EXECUTIVE ORDER 9838

CREATING AN EMERGENCY BOARD TO INVESTIGATE DISPUTES BETWEEN THE GRAND TRUNK WESTERN RAILROAD COMPANY, PERE MARQUETTE RAILROAD COMPANY, WABASH RAILROAD COMPANY, ANN ARBOR RAILROAD COMPANY, AND CERTAIN OF THEIR EMPLOYEES

WHEREAS disputes exist between the Grand Trunk Western Railroad Company, the Pere Marquette Railway Company, the Wabash Railroad Company, and the Ann Arbor Railroad Company, carriers, and certain of their employees represented by the National Maritime Union, C. I. O., a labor organization; and

WHEREAS these disputes have not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS these disputes, in the judgment of the National Mediation Board, threaten substantially to interrupt interstate commerce within the states of Michigan and Wisconsin to a degree such as to deprive that portion of the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U. S. C. 160), I hereby create a board of three members, to be appointed by me, to investigate the said disputes. No member of the said board shall be pecuniarily or otherwise interested in any organization of railway employees or any carrier.

The board shall report its findings to the President with respect to the said disputes within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the Grand Trunk Western Railroad Company, the Pere Marquette Railway Company, the Wabash Railroad Company, and the Ann Arbor Railroad Company or their employees in the con-

ditions out of which the said disputes arose.

HARRY S. TRUMAN

THE WHITE HOUSE,
March 28, 1947.

[F. R. Doc. 47-3116; Filed, Mar. 23, 1947;
2:00 p. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter II—Production and Marketing Administration (Commodity Credit)

[1946 C. C. C. Cotton Form 1, Amdt. 2]

PART 256—COTTON LOANS

CHANGE IN PROVISIONS WITH RESPECT TO LOANS ON CERTIFICATES OF INDEMNITY

The 1946 Cotton Loan Instructions (1946 CCC Cotton Form 1), (§§ 256.101-256.115, 11 F. R. 10747; 12 F. R. 1431) is hereby amended, effective 6 p. m., e. s. t., March 13, 1947, by deleting all provisions for obtaining loans on Certificates of Indemnity (Form FCI-574, Revised) issued by Federal Crop Insurance Corporation.

(Par. (b) Article Third of Charter, Commodity Credit Corporation; sec. 7 (a) 49 Stat. 4, as amended, sec. 302, 52 Stat. 43, sec. 4 (a) 55 Stat. 493, 56 Stat. 768, sec. 8, 56 Stat. 767, 58 Stat. 643 15 U. S. C. Sup. 713 (a), 713 a-3, 7 U. S. C. 1302, 50 U. S. C. App. 968)

[SEAL] JESSE B. GILMER,
President,
Commodity Credit Corporation.

[F. R. Doc. 47-3037; Filed, Mar. 31, 1947;
8:47 a. m.]

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine, Department of Agriculture

[Quarantine 71]

PART 301—DOMESTIC QUARANTINE NOTICES NOTICE OF LIFTING OF THE DOMESTIC DUTCH ELM DISEASE QUARANTINE

For several months responsible officers in the Department have been reviewing the usefulness of the domestic quaran-

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tine on the Dutch elm disease as a means of preventing or retarding the spread of this introduced disease. This review has included consideration of the subject with all State plant quarantine officials and with others interested through correspondence and otherwise and a full discussion at two conferences attended by interested State regulatory officials and representatives of industries which distribute products regulated by the quarantine.

It has been determined that the continuation of the Federal domestic quarantine does not provide practical means for preventing spread of the disease. It has also been determined that the movement of commodities which may contribute to long-distance, artificial spread into areas where the disease might be considered to be of economic significance can be safeguarded with equal effectiveness by action of individual States.

The introduced bark beetle, which serves as the principal carrier of the fungus causing this disease, has been found to be much more widespread than was known when the quarantine was last revised effective October 1, 1941. This bark beetle and related carriers of the disease move considerable distances by natural means and are now known to occur well beyond the known limits of the disease. Quarantine action cannot prevent the natural spread of the disease through the flight of these insects.

Observations over a period of years have disclosed no instances of spread of either the disease or its insect-carriers through the transportation of nursery stock, one of the principal products controlled by the quarantine. Elm logs and fire-wood are probably the most favorable means of artificial spread of either infection or infestation. The transportation of these is largely local and within the range of natural movement of the insect carriers. The limited long-distance shipment of these commodities is of a nature that can be safeguarded

more effectively by State action in the knowledge of where appreciable risk may occur.

In some areas where the disease is now established the aggressive, cooperative, suppressive program carried on for some years after presence of the disease was discovered has been discontinued. This has resulted in the intensification of the infection and the infestation of insect carriers and has reduced the possible benefits from the control of short-distance spread by artificial means.

The proposal to revoke this quarantine has been discussed at conferences to which all State plant pest regulatory officials were invited and at which representatives of industries affected were given an opportunity to present their views. The conferences were preceded by voluminous correspondence with those officials and representatives commencing in April, 1946, months before the passage of the Administrative Procedure Act (60 Stat. 238), and it developed that the majority opinion was that the Federal quarantine was no longer practical. Moreover, the movement of commodities apt to contribute to the spread of the disease can be controlled adequately by individual State action. Accordingly, it is determined that compliance with the rule-making procedure of section 4 (a) of the said act is unnecessary.

Now, therefore, under authority conferred by the Plant Quarantine Act of August 20, 1912, as amended (7 U. S. C. 151 et seq.), I, Clinton P. Anderson, Secretary of Agriculture, do hereby remove and revoke the quarantine placed by §§ 301.71 to 301.71-4, inclusive (Notice of Quarantine No. 71 (7 CFR Cum. Sup. 301.71 [B. E. P. Q.—Q. 71])) upon the States of Connecticut, New Jersey, New York, and Pennsylvania on account of the Dutch elm disease, and do also revoke the rules and regulations supplemental thereto, as amended (7 CFR, Cum. Sup., 301.71-1 et seq.), such removal and revocation to take effect on May 1, 1947.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U. S. C., 161)

Effective on and after May 1, 1947.

Done at Washington, D. C., this 26th day of March 1947.

Witness my hand and the seal of the United States Department of Agriculture.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 47-3018; Filed, Mar. 31, 1947;
8:49 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

PART 150—ARREST AND DEPORTATION VOLUNTARY DEPARTURE PERMITTED BY OFFICERS IN CHARGE

MARCH 11, 1947.

Part 150, Chapter I, Title 8, Code of Federal Regulations is amended by in-

serting the following new section between §§ 150.11 and 150.12:

§ 150.11a *Special procedure; voluntary departure permitted by officers in charge.* Notwithstanding any other provisions of this part, the authority conferred upon the Attorney General by subsection (c) (1) of section 19 of the Immigration Act of 1917, as amended (39 Stat. 889, 54 Stat. 671; 8 U. S. C. 155 (c)), to permit certain deportable aliens to depart from the United States to any country of their choice at their own expense in lieu of deportation, may be exercised by any officer in charge of a district or suboffice: *Provided*, (a) That the alien concerned is a citizen of either Canada or Mexico and desires to depart immediately from the United States for whichever of such countries he is a citizen; (b) That the alien is willing and able to pay his own transportation expenses and will apparently be admitted to the country of destination with little or no delay; and (c) That the immediate departure of the alien without the issuance of a warrant of arrest or without the completion of proceedings on a warrant of arrest will be advantageous to the Government.

This order shall become effective on the day of publication in the FEDERAL REGISTER. The requirements of section 4 of the Administrative Procedure Act (Pub. Law 404, 79th Cong.; 60 Stat. 238) relative to notice of proposed rule making and delayed effective date are inapplicable for the reason that the rule promulgated by this order pertains to organization—more particularly to delegation of authority.

(Sec. 23, 39 Stat. 892, sec. 24, 43 Stat. 166, sec. 37 (a), 54 Stat. 675; 8 U. S. C. 102, 222, 458; sec. 1, Reorg. Plan No. V, 3 CFR, Cum. Sup., Ch. IV; 8 CFR, 1943 Supp., 90.1)

UGO CARUSI,
Commissioner of
Immigration and Naturalization.

Approved: March 24, 1947.

TOM C. CLARK,
Attorney General.

[F. R. Doc. 47-3029; Filed, Mar. 31, 1947;
8:46 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 51651]

PART 6—AIR COMMERCE REGULATIONS

LAREDO MUNICIPAL AIRPORT, LAREDO, TEX.;
DESIGNATION AS AIRPORT OF ENTRY

MARCH 25, 1947.

The Laredo Municipal Airport, Laredo, Texas, is hereby designated as an airport of entry for civil aircraft and merchandise carried thereon arriving from places outside the United States, as defined in section 9 (b) of the Air Commerce Act of 1926 (U. S. C. Title 49, sec. 179 (b)), for a period of 1 year from May 1, 1947.

The list of temporary airports of entry in § 6.13, Customs Regulations of 1943

(19 CFR, Cum. Supp., 6.13), as amended, is hereby further amended by inserting therein the location and name of this airport, date designated, and the period "1 year."

Notice of the proposed designation of this airport as an airport of entry was published in the FEDERAL REGISTER on February 25, 1947 (12 F. R. 1350), pursuant to the provisions of section 4 of the Administrative Procedure Act (Pub. Law 404, 79th Cong.). The designation of this airport is based on a determination that a sufficient need exists to justify such designation and the designation is made for the purpose of providing for convenient compliance with customs requirements.

(Sec. 7 (b), 44 Stat. 572; sec. 611, 58 Stat. 714; 49 U. S. C. Sup., 177 (b))

[SEAL] E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 47-3027; Filed, Mar. 31, 1947;
8:47 a. m.]

[T. D. 51652]

PART 18—TRANSPORTATION IN BOND AND MERCHANDISE IN TRANSIT

SEALING REQUIREMENTS OF PACKAGES SHIPPED IN BOND

Section 18.4 (e), Customs Regulations of 1943 (19 CFR, Cum. Supp., 18.4 (e)), is hereby amended to read:

§ 18.4 *Sealing conveyances and compartments; labeling packages; warning cards.* * * *

(e) Except as otherwise provided for in this paragraph, packages shipped in bond or by a carrier permitted to transport articles under the last sentence of section 553 of the tariff act, as amended, shall be corded and sealed or, in lieu thereof, the carriers shall furnish and attach to each such package two warning labels on bright red paper, not less than 5 by 8 inches in size, containing the following legend in black type of a conspicuous size:

U. S. CUSTOMS

Transportation Entry No. _____
From _____ To _____
This package is under bond and must be delivered intact to the chief officer of the customs at _____

WARNING

Two years' imprisonment or \$5,000 fine or both, is the penalty for unlawful removal of this package or any of its contents.

Such cording and sealing or labeling of the packages so shipped is not required either when the packages are transported in a conveyance or compartment sealed with customs seals, or when the sealing of the conveyance or compartment in which the packages are transported is waived under paragraph (a) or (b) of this section. When the packages are shipped in a railroad car the sealing of which is practicable but which is not sealed because merchandise not being transported in bond is or may be carried in the same car, the packages being transported in bond shall be corded and sealed or labeled.

(46 Stat. 759, 59 Stat. 667; 19 U. S. C. and Sup. 1624, 1551)

[SEAL]

W. R. JOHNSON,
Commissioner of Customs.

Approved: March 26, 1947.

E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 47-3028; Filed, Mar. 31, 1947;
8:47 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Housing Expediter Priorities Order 5]

PART-801—PRIORITIES ORDERS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

TRANSFER OF CPA REGULATIONS AND ORDERS TO THE HOUSING EXPEDITER

§ 801.5 *Transfer of CPA regulations and orders to the Housing Expediter—*

(a) *What this section does.* By Executive Order 9836 issued March 22, 1947, effective April 1, 1947, the President has transferred to the Housing Expediter all functions of the Temporary Controls Administrator and of the Office of Temporary Controls with respect to the Veterans' Emergency Housing Program which have previously been administered by the Civilian Production Administration in the Office of Temporary Controls. By the same Executive Order, the President has delegated to the Housing Expediter,

to the extent necessary for the proper exercise of the functions which were transferred, the powers and authority vested in the President by Title III of the Second War Powers Act, 1942, as amended. These powers and this authority are in addition to those vested in the Housing Expediter by the Veterans' Emergency Housing Act of 1946. In order to carry out the functions transferred to the Housing Expediter by this Executive Order, the Housing Expediter, under the authority of the Veterans' Emergency Housing Act of 1946 and the Second War Powers Act, 1942, as amended, is adopting various regulations and orders of the Office of Temporary Controls (Civilian Production Administration) and continuing them in effect as Housing Expediter regulations and orders. As it is not practicable at this time to reissue these regulations and orders in the name of the Housing Expediter, this section provides for this adoption in a single document and sets forth the effect of the adoption.

(b) *Adoption by Housing Expediter of certain Office of Temporary Controls (Civilian Production Administration) regulations and orders.* The following regulations and orders of the Temporary Controls Administrator and Office of Temporary Controls (Civilian Production Administration) are hereby adopted, ratified, and confirmed as Housing Expediter actions, to the same extent as if issued in his name, and shall remain in full force and effect until revoked or amended by the Housing Expediter:

ministration under any of these regulations or orders, and which are in effect on April 1, 1947, shall remain in full force and effect, subject to all the conditions and limitations which may apply to the authorizations.

(c) *Suspension orders, consent orders and stop-construction orders.* All suspension orders, consent orders, and stop-construction orders issued by the Office of Temporary Controls (Civilian Production Administration) or by the Civilian Production Administration as a result of violation of any of the regulations or orders listed in paragraph (b), and which are in effect on April 1, 1947, are hereby adopted, ratified and confirmed and shall remain in full force and effect until they expire by their terms or are revoked or amended by the Housing Expediter. This also applies to all stays of execution issued in connection with such suspension orders, consent orders, and stop-construction orders.

(d) *Authorizations under Veterans' Housing Order 1.* All authorizations under Veterans' Housing Program Order 1 granted by the Office of Temporary Controls (Civilian Production Administration) or by the Civilian Production Administration or by any agency acting under a delegation of authority from either shall remain in full force and effect, subject to all the conditions and limitations which may apply to the authorizations.

(e) *Authorizations and priorities assistance under Priorities Regulation 33.* All approvals granted under Priorities Regulation 33 shall continue to constitute authorization under Veterans' Housing Program Order 1, and to constitute an assignment of priorities assistance, to the extent provided by applicable regulations of the Housing Expediter. All obligations, liabilities, commitments and agreements made or incurred by builders, owners, purchasers, tenants or other persons under Priorities Regulation 33 are continued in full force and effect until amended or revoked by the Housing Expediter.

(f) *Effect of adoption on existing obligations and liabilities.* All obligations, liabilities and responsibilities incurred under the regulations and orders adopted by this Housing Expediter Priorities Order 5 are continued in full force and effect, except to the extent amended or revoked by the Housing Expediter from time to time. The transfer of these regulations and orders does not cancel, suspend or revoke any civil or criminal liability or penalty incurred by any person under the regulations and orders adopted by this section.

(g) *Reference to the Civilian Production Administration as Housing Expediter.* All references such as "Office of Temporary Controls (Civilian Production Administration)", "Temporary Controls Administrator", "Civilian Production Administration", "Civilian Production Board" which are made in the Office of Temporary Controls (CPA) documents adopted by this Housing Expediter Priorities Order 5, or in any regulation or order of the Housing Expediter, shall be construed (except where a different meaning clearly appears from the context) to be references to the "Housing

Section No.	Regulation or Order	Date issued or amended	Federal Register citation
944.1-20	Priorities Regulation 1	Mar. 4, 1947	12 F. R. 181.
944	Direction 1	Jan. 25, 1947	12 F. R. 671.
944	Direction 2	June 15, 1944	9 F. R. 623.
944	Direction 11	Sept. 18, 1945	10 F. R. 1187.
944.23	Priorities Regulation 3	Mar. 4, 1947	12 F. R. 187.
944	Direction 7	Oct. 1, 1945	10 F. R. 1232.
944	Direction 15	Apr. 22, 1949	11 F. R. 416.
944	Direction 16	Sept. 6, 1945	11 F. R. 622.
944.25	Priorities Regulation 5	Aug. 23, 1943	8 F. R. 1153.
944.27	Priorities Regulation 7	Dec. 31, 1943	12 F. R. 2.
944.28	Priorities Regulation 7A	Oct. 8, 1945	10 F. R. 1233.
944.29	Priorities Regulation 8	Nov. 14, 1945	10 F. R. 1453.
944.43	Priorities Regulation 22	Jan. 8, 1943	11 F. R. 33.
944	Supplement 1 to PR-23 (§ 944.43)	Mar. 4, 1947	12 F. R. 182.
944	Table 1 to PR-23	Mar. 4, 1947	12 F. R. 182.
944	Direction 6 to PR-23	Jan. 23, 1947	12 F. R. 484.
944	Direction 25 to PR-23	Mar. 12, 1947	12 F. R. 173.
944.54	Priorities Regulation 33	Feb. 23, 1947	12 F. R. 143.
944.54a	Schedule A	Mar. 3, 1947	12 F. R. 143.
944.54b	Schedule B	Mar. 3, 1947	12 F. R. 143.
944	Direction 5	Aug. 23, 1943	11 F. R. 677.
944	Direction 8	Dec. 31, 1943	12 F. R. 17.
944	Direction 11	Jan. 15, 1947	12 F. R. 83.
944	Direction 13	Jan. 23, 1947	12 F. R. 43.
944.56	Priorities Regulation 35	Mar. 4, 1947	12 F. R. 183.
4700.1	Veterans' Housing Program Order 1	Mar. 23, 1947	12 F. R. 133.
4700	Direction 1	June 24, 1943	11 F. R. 623.
4700	Direction 2	Mar. 3, 1947	12 F. R. 147.
4700	Direction 3	Feb. 11, 1947	12 F. R. 53.
4700.2	Supplement 1	Mar. 21, 1947	12 F. R. 133.
4700.3	Supplement 2	July 2, 1946	11 F. R. 732.
4700.4	Supplement 3	Mar. 20, 1947	12 F. R. 133.
4700.5	Supplement 4	Oct. 7, 1943	11 F. R. 1123.
4700.6	Supplement 5	Feb. 13, 1947	12 F. R. 167.
4700.16	Veterans' Housing Program Order 3	Aug. 23, 1943	11 F. R. 678.
4700.17	Veterans' Housing Program Order 4	Sept. 23, 1943	11 F. R. 1501.
4700.18	Veterans' Housing Program Order 5	Feb. 23, 1947	12 F. R. 142.
3238.91	Limitation Order L-357	Dec. 10, 1945	11 F. R. 1434.

The above regulations and orders are being transferred to the Housing Expediter by the Office of Temporary Controls (Civilian Production Administration), effective simultaneously with this section.

All official interpretations of these regulations and orders issued in accordance with CPA Regulation 3 and in effect

on April 1, 1947, are hereby adopted, ratified, confirmed, and issued as Housing Expediter actions, to remain in effect until revoked or amended by the Housing Expediter.

All authorizations which have been granted by the Office of Temporary Controls (Civilian Production Administration) or by the Civilian Production Ad-

RULES AND REGULATIONS

Expediter" or the "Office of the Housing Expediter", whichever is appropriate. All references in such documents to countersigning or attesting by The "Recording Secretary" shall have no effect.

(h) *Actions to be taken in the name of the Housing Expediter.* All future actions under the regulations and orders listed in paragraph (b) relating to the Veterans' Emergency Housing Program shall be taken by the Housing Expediter, or in the name of the Office of the Housing Expediter by a duly authorized official, or as otherwise provided by a delegation of authority from the Housing Expediter.

(i) *Reporting and record-keeping requirements approved.* The reporting and record-keeping requirements of this section and orders listed in paragraph (b) of this section have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(j) *Communications.* Communications regarding the provisions of this section should be addressed to the Housing Expediter, Washington 25, D. C., Ref: EPO 5.

(k) *Effective date.* This section, Housing Expediter Priorities Order 5, shall become effective April 1, 1947. (60 Stat. 207; 56 Stat. 177, as amended, E. O. 9836, 12 F. R. 1939.)

Issued this 31st day of March 1947.

FRANK R. CREEDON,
Housing Expediter.

[F. R. Doc. 47-3159; Filed, Mar. 31, 1947;
11:22 a. m.]

PART 802—DELEGATIONS OF FINAL AUTHORITY

REVOCATION OF DELEGATIONS OF FINAL AUTHORITY TO CIVILIAN PRODUCTION ADMINISTRATION ON PREMIUM PAYMENT REGULATIONS

1. The following sections, containing delegations of final authority to the Civilian Production Administration on Premium Payment Regulations, are hereby revoked: §§ 802.4 802.5, 802.7, 802.9, 802.11, and §§ 802.13 to 802.17, inclusive.

Issued this 31st day of March 1947 to become effective April 1, 1947.

FRANK R. CREEDON,
Housing Expediter.

[F. R. Doc. 47-3005; Filed, Mar. 31, 1947;
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[Housing Expediter Priorities Reg. 6, as Amended March 31, 1947]

PART 803—PRIORITIES REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

PREFABRICATED HOUSING UNDER THE VEHP PURPOSE

Par.

(a) What this section provides.

DEFINITIONS

(b) Definitions.

PREFABRICATORS' APPLICATIONS FOR PRIORITIES ASSISTANCE

Par.

- (c) Filing of applications.
- (d) [Deleted January 10, 1947]

NHA CONSIDERATION OF APPLICATIONS

- (e) VEHP use.
- (f) Technical standards.
- (g) Prefabricated panels.
- (h) Prefabricated packages.
- (i) Prefabricated sections.
- (j) Production standards.

GRANTING OF AUTHORIZATION

- (k) Nature of authorizations.
- (l) Quantities authorized.

PREFABRICATORS' USE OF PRIORITIES ASSISTANCE

- (m) Extending customers' ratings.
- (n) Placing orders.
- (o) Delivery date restrictions.
- (p) Effect of orders placed by prefabricator.
- (q) Use of materials.
- (r) Disposal of materials.

SALES AND PURCHASE RESTRICTIONS

- (s) Prefabricators' and dealers' sales.
- (t) Dealers' purchases.
- (u) Application by builder under HEPR 5.
- (v) Application by builder under Housing Permit Regulation.

OTHER PROVISIONS

- (w) Communications and appeals.
- (x) Record-keeping requirements.
- (y) Reporting requirements.
- (z) Violations.

§ 803.6 *Prefabricated housing under the Veterans' Emergency Housing Program—(a) What this section provides.* Under this section, Housing Expediter Priorities Regulation 6, and previously under Direction 8 to CPA Priorities Regulation 33, priorities assistance was issued to prefabricators for certain materials to be used in the factory production of prefabricated sections, panels, and packages, under the Veterans' Emergency Housing Program. Since December 24, 1946 priorities assistance has no longer been granted under this section.

However, unless expressly provided otherwise by the Housing Expediter, all the conditions and restrictions imposed on prefabricators and dealers by this section and other applicable OHE regulations are still in effect. This section explains the rules concerning (1) the prefabricator's use of an HH-rating under authorizations previously granted, (2) the materials which may be obtained with their use, (3) the use of materials so obtained, and (4) prefabricators' and dealers' sales of prefabricated houses, sections, panels, and packages. Many of these rules were formerly established by certain CPA regulations and orders which are being transferred to the Housing Expediter (simultaneously with this amendment of April 1, 1947) by the issuance of Housing Expediter Priorities Order 5.

DEFINITIONS

(b) *Definitions.* For the purpose of this section:

(1) "Prefabricator" means a person engaged in the business of manufacturing prefabricated houses, sections, panels, or packages.

(2) "Prefabricated house" means a house of which at least the exterior walls are formed by the assembly of prefabricated panels or sections as defined below. The term "prefabricated house" does not include house trailers.

(3) "Prefabricated section" means a house section which encloses living, storage, or utility space on at least two sides, is manufactured in a factory, is transported to the building site without being taken apart, and is designed to be used in combination with one or more prefabricated sections, prefabricated panels or conventionally constructed elements to produce housing accommodations.

(4) "Prefabricated panel" means a floor, wall, partition, ceiling, roof or truss panel which is manufactured in a factory, is designed to be used in combination with one or more prefabricated sections, prefabricated panels, or conventionally constructed elements to produce a prefabricated house, and meets whichever of the following standards of minimum prefabrication is applicable:

(i) *Wood panels.* A prefabricated exterior wall panel constructed principally of wood shall consist of at least a completely assembled structural wood frame or panel core, with surfacing material or wall sheathing attached to at least one side.

A prefabricated partition, ceiling or truss panel constructed principally of wood shall consist of at least a completely assembled structural wood frame or panel core:

A prefabricated floor or roof panel constructed principally of wood shall consist of at least a completely assembled structural wood frame or panel core with surfacing material, subfloor or roof sheathing attached to at least one side.

(ii) *Metal panels.* A prefabricated exterior wall panel constructed principally of metal shall consist of at least (a) a completely assembled panel frame or core with surfacing material or wall sheathing attached to at least one side, (b) a specially fabricated sheet of metal designed to serve both sheathing and structural purposes, or (c) a combination of specially fabricated metal sheets and structural frame (or core) members, either assembled or unassembled, designed and fabricated for incorporation in a prefabricated house of a specific design.

A prefabricated floor, partition, ceiling, roof or truss panel constructed principally of metal shall consist of at least (a) a completely assembled panel frame or core, (b) a specially fabricated metal sheet designed and fabricated for incorporation in a prefabricated house of a specific design, (c) specially fabricated structural frame (or core) members designed and fabricated for incorporation in a prefabricated house of a specific design, or (d) a combination of (b) and (c), either assembled or unassembled.

(iii) *Concrete panels.* A prefabricated exterior wall panel constructed principally of concrete shall consist of at least (a) a precast concrete slab having an area of 15 square feet or more on one surface or (b) a combination of such a

precast concrete slab and structural framing members, either assembled or unassembled, designed and manufactured for incorporation in a prefabricated house of a specific design.

A prefabricated floor, partition, ceiling, roof or truss panel constructed principally of concrete shall consist of at least (a) a precast concrete slab having an area of 15 square feet or more on one surface, or (b) precast concrete structural panel frame (or core) members designed and manufactured for incorporation in a prefabricated house of a specific design, or (c) a combination of (a) and (b), either assembled or unassembled, designed and manufactured for incorporation in a prefabricated house of a specific design.

A prefabricated panel may, but need not, incorporate such items as window and door frames, sash, doors, builders' hardware, wiring, piping, etc.

(5) The terms "prefabricated section" and "prefabricated panel" do not include: (i) fabricated structural steel such as standard columns and standard beams or stock metal siding or roofing, etc., primarily designed for use in conventional construction, (ii) concrete blocks, precast joists, precast concrete panels and similar concrete items primarily designed for use in conventional construction, (iii) millwork, including kitchen cabinets, (iv) items of furniture and equipment not designed to be permanently attached to and made a part of a house, or (v) building materials cut to size and shape for assembly at the building site, if not specifically covered by the definitions in subparagraphs (3) and (4) of this paragraph.

(6) "Prefabricated package" means the aggregation of prefabricated sections and panels, building materials, and equipment which is shipped in a lot by a prefabricator, to be incorporated in a prefabricated house. (See paragraph (h) of this section on authorizations for loose materials and equipment to be included in a prefabricated package.)

(7) "Loose materials and equipment" included in a prefabricated package means the materials and equipment in the package which are not permanently attached to or incorporated in the prefabricated sections and panels comprising the rest of the package. "Loose materials and equipment" shipped with a prefabricated section means those which are not permanently attached to or incorporated in the prefabricated section at the time it is shipped.

(8) "Schedule A materials" means the items listed in Schedule A to Priorities Regulation 33. These are the items for which priorities assistance was given to prefabricators on or before December 24, 1946.

(9) A prefabricator's "approved production" for a particular quarter means the number of units which he can produce with the amount of the materials listed in paragraph (1) (1) of this section for which priorities assistance was authorized by the National Housing Agency for that quarter.

(10) "NHA" means the National Housing Agency.

(11) "CPA" means the Civilian Production Administration.

(12) "OHE" means the Office of the Housing Expediter.

(13) "This section" means this regulation, Housing Expediter Priorities Regulation 6.

PREFABRICATORS' APPLICATIONS FOR PRIORITIES ASSISTANCE

(c) *Filing of applications.* Priorities assistance for "Schedule A materials" was issued under this section to prefabricators who made quarterly applications on Form NHA 14-53. The applications were filed with the National Housing Agency, Washington, D. C., which considered the applications for approval as explained in paragraphs (e) through (j) of this section. Applications for priorities assistance may no longer be filed under this section. However, authorizations given on or before December 24, 1946, remain valid for the period covered by them.

(d) [Deleted January 10, 1947.]

NHA CONSIDERATION OF APPLICATIONS

(e) *VEHP use.* Priorities assistance was given under this section only for quantities of Schedule A materials to be used fully in prefabricated housing under the Veterans' Emergency Housing Program.

(f) *Technical standards.* Priorities assistance was given under this section for Schedule A materials to be used for the following purposes only:

(1) The manufacture of prefabricated panels designed to be incorporated in prefabricated houses found by the National Housing Agency to meet standards of space, arrangement, and construction known as "HH Minimum Property Requirements."

(2) The making up of prefabricated packages designed to be incorporated in prefabricated houses found by the National Housing Agency to meet the HH Minimum Property Requirements.

(3) The manufacture and installation of prefabricated sections designed to be incorporated in houses (whether prefabricated or not) found by the National Housing Agency to meet the HH Minimum Property Requirements.

The findings by the National Housing Agency referred to in this paragraph were based upon information submitted by the prefabricator on Form NHA 14-54 or in such other manner as required by the National Housing Agency. Information regarding the HH Minimum Property Requirements is available at the Office of the Housing Expediter, Washington 25, D. C., and at all State and District Offices of the Federal Housing Administration.

(g) *Prefabricated panels.* Priorities assistance for Schedule A materials to be incorporated in prefabricated panels was given under this section only to those prefabricators who met one of the following tests:

(1) The prefabricator ships, to each purchaser, all the prefabricated exterior wall panels (as defined in paragraph (b) (4) of this section) of a prefabricated house.

(2) The prefabricator (i) submitted evidence of an agreement he had entered into with one or more prefabricators dividing among them the production responsibility for the manufacture of prefabricated elements designed to be incorporated in a prefabricated house, and (ii) together, these prefabricators ship, to each purchaser, all the prefabricated exterior wall panels of a prefabricated house.

(h) *Prefabricated packages.* The following are special rules on priorities assistance for Schedule A materials to be incorporated in prefabricated packages:

(1) In addition to prefabricated sections and panels, a prefabricated package produced under this section may contain, in the amount provided for in subparagraph (2) of this paragraph, the following "loose materials and equipment":

(i) Mechanical, plumbing, heating, and electrical material and equipment; cooking, refrigeration, and laundry equipment; kitchen cabinets; and

(ii) Other loose materials and equipment.

(2) Priorities assistance was given under this section for Schedule A materials to be included in a prefabricated package as loose materials and equipment only if the dollar value of all loose materials and equipment not listed in subparagraph (1) (i) of this paragraph which are contained in the package is less than one half of the following amount: the dollar value of the entire prefabricated package minus the dollar value of all materials and equipment in the package—whether "loose" or not—listed in subparagraph (1) (i) of this paragraph.

(i) *Prefabricated sections.* Priorities assistance was given under this section for Schedule A materials to be shipped with a prefabricated section to be incorporated in a house whether or not the house is prefabricated. However, such assistance was given only for Schedule A materials listed in paragraph (h) (1) (i) of this section required for installation in or attachment to the prefabricated section, and for the minimum quantities of other loose materials and equipment required for the installation of the prefabricated section.

(j) *Production standards.* Priorities assistance was given under this section only after the National Housing Agency took into consideration the following factors:

(1) The prefabricator's use of scarce materials,

(2) The suitability of his product for low and moderate cost housing under the Veterans' Emergency Housing Program, and

(3) The prefabricator's apparent ability to produce, based upon plant facilities and methods, general experience, distribution facilities and methods, and other relevant considerations.

GRANTING OF AUTHORIZATIONS

(k) *Nature of authorizations.* Priorities assistance granted on Form NHA 14-53 was in the form of authority to place HH rated orders or certified orders for approved quantities of "Schedule A

materials" (see paragraph (b) (8) of this section). The authorization covers quantities to be so ordered for delivery in a particular quarter. It may also include an advance authorization enabling the prefabricator (subject to the delivery date restrictions referred to in paragraph (c) of this section) to place such orders for a part of his requirements to be delivered in the next quarter, pending receipt of his regular authorization for that quarter.

(l) *Quantities authorized.* Form NHA 14-53 authorizations are for the following quantities of Schedule A materials:

(1) For the following materials, the permitted quantities are the quantities numerically expressed in the authorization: housing construction lumber, millwork (other than built-in kitchen cabinets), hardwood flooring (all grades), gypsum board and lath, building board, and construction plywood (softwood).

(2) For the other Schedule A materials (excluding those listed in subparagraph (1) of this paragraph, but including built-in kitchen cabinets), the permitted quantities are the minimum quantities needed to meet the prefabricator's "approved production" requirements (see paragraph (b) (9) of this section).

PREFABRICATORS' USE OF PRIORITIES ASSISTANCE

(m) *Extending customers' ratings.* In accordance with Direction 8 to Priorities Regulation 33, a prefabricator must not extend (pass on to his supplier) an HH rating which he receives from a customer.

(n) *Placing orders.* A prefabricator who has been granted priorities assistance on Form NHA 14-53 may place orders for the approved quantities of Schedule A materials (for delivery during the quarter covered by the authorization), as follows:

(1) *Certified orders for construction plywood (softwood).* For construction plywood (softwood), he was permitted to place certified orders through March 31, 1947, as explained in CPA Order L-358, which expired on that date.

(2) *HH rated orders for other Schedule A materials.* For the other Schedule A materials, he may use an HH rating on his purchase orders. The HH rating may be applied to a purchase order by placing on the order a written certificate as explained in Schedule A to Priorities Regulation 33. This certificate is as set out below:

VETERANS' EMERGENCY HOUSING PROGRAM APPLICATION SERIAL NUMBER —

I certify to the U.S. Government that an HH rating has been assigned for the materials covered by this order. The materials will be used only for housing accommodations as authorized.

Purchaser

(3) *Former rule for some Schedule A materials.* Before January 1, 1947, CPA Order L-359 provided that prefabricators could place "certified orders," rather than HH rated orders, for housing construction lumber, residential

hardwood flooring, and millwork. To place a certified order, a prefabricator used the certificate previously shown in Order L-359, rather than the Schedule A certificate now shown in subparagraph (2) of this paragraph. Purchase orders which have already been placed with the former L-359 certificate need not be re-certified. However, after January 1, 1947, they will be treated as rated orders rather than certified orders.

In accordance with Schedule A to PR 33, a prefabricator may not place HH rated orders after April 15, 1947. Orders placed by that date must meet the delivery date restrictions of paragraph (c) of this section.

(c) *Delivery date restrictions.* In accordance with Schedule A to Priorities Regulation 33, a prefabricator placing certified or HH rated orders under this section must not specify a delivery date which is (1) more than 30 days before the time the materials are to be used by him or (2) later than the end of the third calendar month after the month in which the order is placed. "Delivery date" means the date of delivery at the prefabricator's plant or warehouse.

(p) *Effect of orders placed by prefabricator.* The effect of HH rated and certified orders is controlled by Priorities Regulation 1 and certain other regulations and orders. For construction plywood (softwood), the other applicable order (through March 31, 1947) is CPA Order L-358. For lumber, hardwood flooring, and millwork, it is CPA Order L-359 (through March 31, 1947). For the latter materials after March 31, 1947, and for all other Schedule A materials, the other applicable regulation is Schedule B to PR 33.

(q) *Use of materials.* Materials obtained with priorities assistance may be used only for the purposes for which that assistance was granted, and, in accordance with Priorities Regulation 1, must if possible be used for that purpose. This rule applies to materials obtained under this section or under Direction 8 to CPA Priorities Regulation 33. The rule will continue to apply after December 24, 1946 even though no additional priorities assistance will be granted after that date.

(r) *Disposal of materials.* If a prefabricator is unable to use materials obtained with priorities assistance under this section, or under Direction 8 to CPA Priorities Regulation 33, for the purposes for which the assistance was granted, he may use or dispose of them only as follows:

(1) By "special sale," in accordance with Schedule A to Priorities Regulation 33.

(2) By such other use as may be authorized in writing by the Housing Expediter, upon written application from the prefabricator.

SALES AND PURCHASE RESTRICTIONS

(s) *Prefabricators' and dealers' sales.* In accordance with Direction 8 to Priorities

Regulation 33, a prefabricator or a dealer (wholesale or retail) must observe the following rules:

(1) *Unerected sales.* In selling unerected prefabricated sections, panels, or packages produced under this section or Direction 8, a prefabricator or dealer must accept and fill rated orders in preference to unrated orders in accordance with the rules of Priorities Regulation 1.

(2) *Erected sales.* In selling erected prefabricated houses, sections, panels, or packages produced under this section or Direction 8, a prefabricator or dealer must comply with the rules of Priorities Regulation 33, Housing Expediter Priorities Regulation 5, or the Housing Permit Regulation, whichever is applicable. (See paragraphs (u) and (v) of this section.)

(t) *Dealers' purchases.* In accordance with Direction 8 to Priorities Regulation 33, a dealer who receives an HH or HHH rated order from a customer for a prefabricated section, panel, or package produced under this section or Direction 8 may extend the rating to get the item for sale to that customer, or to replace an item sold out of inventory to that customer. A dealer may also place unrated orders.

(u) *Application by builder under HEPR 5.* On or before December 24, 1946 a person eligible under the Veterans' Emergency Housing Program to erect a prefabricated house or section could apply under Housing Expediter Priorities Regulation 5 (§ 803.5) for an authorization to construct and an HH rating. (Before September 10, 1946, such applications were made under CPA Priorities Regulation 33.)

If his application was approved and he begins construction under the authorization issued to him, the builder is subject to all the requirements of the priorities regulation under which his application was approved, including restrictions on sales price and rents, and requirements for preference to veterans, where applicable. When the application was approved, the builder was assigned an HH rating, which he may use to get a prefabricated section, panel, or package and the necessary quantities of the other Schedule A materials. This rating may be applied in accordance with, and subject to, the limitations of Schedule A to PR 33 and other applicable regulations. (If the builder has not begun construction under an authorization issued under HEPR 5 or PR 33, see paragraph (v) of this section.)

A prefabricator or a dealer could apply in the same way as any other builder, on or before December 24, 1946, if he wished to erect a prefabricated house or section. A prefabricator acting as an erector is subject to the same requirements of HEPR 5 (or PR 33) as a builder.

(v) *Application by builder under Housing Permit Regulation.* On or after December 24, 1946, a person eligible under the Veterans' Emergency Housing Program to erect a prefabricated house or section may apply under the Housing Permit Regulation for an authorization to erect, called a "construction permit." No priorities assistance will be given, however, with a construction permit. Therefore, such a builder may not place

rated orders for prefabricated sections, panels, or packages produced under Direction 8 to CPA Priorities Regulation 33 or under this section.

If a builder's application under Housing Expediter Priorities Regulation 5 or Priorities Regulation 33 was approved, but he has not begun construction under the authorization issued to him, he may elect to surrender his authorization and his HH rating and re-apply for a construction permit under the Housing Permit Regulation. In this case he is subject to the requirements of the latter regulation and not HEPR 5 or PR 33, and also may not place HH rated orders.

OTHER PROVISIONS

(w) *Communications and appeals.* Communications regarding the provisions of this section should be addressed to the Housing Expediter, Washington 25, D. C. Any person who considers that compliance with any provision in this section would result in an exceptional and unreasonable hardship on him may appeal for relief. An appeal shall be in the form of a letter in triplicate, addressed to the Housing Expediter, Washington 25, D. C., clearly stating the specific provision appealed from and the grounds for claiming an exceptional and unreasonable hardship.

(x) *Record-keeping requirements.* Each person subject to this section must keep and preserve for at least two years records showing quantities of all Schedule A materials (including prefabricated sections and panels) received and dates of receipt. In addition, each person participating in any transaction to which any rule, regulation or order of the Civilian Production Administration or the Housing Expediter applies must keep and preserve for at least two years the records described in Priorities Regulation 1. The record-keeping requirements of this section have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(y) *Reporting requirements.* Information and reports relating to matters covered by this section, or by Direction 8 to Priorities Regulation 33, may be required from time to time by the Housing Expediter (or person or agency authorized by the Housing Expediter to make such requests), subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942. The reporting requirements of this section have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(z) *Violations.* Any person who wilfully violates any provision of this section and any person who knowingly makes any statement to any department or agency of the United States, as to any matter within its jurisdiction, which is false in any respect, or who wilfully conceals a material fact in any certificate required to be filed under this section, or who wilfully falsifies any records required to be kept under this section shall, upon conviction thereof, be subject to fine or imprisonment or both, under the Second War Powers Act of 1942, Veter-

ans' Emergency Housing Act of 1946, and other applicable Federal Statutes. Any person who violates any provision of this section may be prohibited from making or obtaining any further deliveries of, or from using, any materials or facilities suitable for housing construction, and may be deprived of priorities assistance for such materials or facilities.

(60 Stat. 207; 56 Stat. 177, as amended; E. O. 9836, 12 F. R. 1939).

Issued this 31st day of March 1947, to become effective April 1, 1947.

FRANK R. CREEDON,
Housing Expediter.

[F. R. Doc. 47-3155; Filed, Mar. 31, 1947; 11:21 a. m.]

[Priorities Reg. 28]

PART 803—PRIORITIES REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

RESTRICTED PRIORITIES ASSISTANCE

§ 803.8; *Restricted priorities assistance*—(a) *What this section does.* This section provides for the filing of applications for RR ratings under Supplement I to this section. Persons eligible to apply include producers of critical building materials listed in Table I to this section.

Supplement I and Table I to this section, formerly Supplement I and Table I to Priorities Regulation 28 of the Civilian Production Administration, are adopted, ratified, confirmed, and issued by Housing Expediter Priorities Order 5 simultaneously with the issuance of this section.

(b) *Existing RR ratings.* Nothing in this section affects the validity or duration of RR ratings granted or converted before April 1, 1947.

(c) *Filing of applications.* Applications for an RR rating under Supplement I to this section should be made on Form CPA-541A, addressed to the Housing Expediter, Washington 25, D. C. Since ratings are no longer given to support a minimum economic rate of production or to give special help to small business or the business needs of veterans, no questions on Form CPA-541A need be answered which were designed for such cases. For this reason, Questions 7b, 13 and 16 on Form CPA-541A (as revised 4-23-46) may be left unanswered. On the other hand, supporting data required by Item 14 are of major importance and should clearly show how the application qualifies under paragraph (b) of Supplement I to this section.

(d) *Reports.* The reporting requirements of this section have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(e) *Effective date.* This section shall become effective on April 1, 1947.

(60 Stat. 207; 56 Stat. 177, as amended; E. O. 9836, 12 F. R. 1939)

Issued this 31st day of March 1947.

FRANK R. CREEDON,
Housing Expediter.

[F. R. Doc. 47-3152; Filed, Mar. 31, 1947; 11:21 a. m.]

[Priorities Reg. 32]

PART 803—PRIORITIES REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

INVENTORIES

PURPOSE

Par.

(a) What this section provides.

DEFINITIONS

(b) Definitions.

GENERAL RESTRICTIONS

(c) Restriction on delivery.

(d) Restrictions on receipts.

(e) Restriction on ordering more than needed.

(f) Adjusting outstanding orders when requirements change.

(g) Restriction on processing.

EXCEPTIONS

(h) General exceptions.

(i) Receipts permitted after adjustment of orders.

MISCELLANEOUS

(j) Separate inventories.

(k) Violations.

(l) Communications and appeals.

(m) Reporting requirements approved.

(n) Effective date.

PURPOSE

§ 803.9 *Inventories*—(a) *What this section provides.* The purpose of this section, Priorities Regulation 32, is to prevent excessive inventories by restricting ordering, deliveries, receipts and processing of certain building materials, which are listed in Table I at the end of this section. These materials are covered by this section whether or not they are acquired with priorities assistance.

This section applies to all persons buying for use or for resale, whether established firms or newcomers. Certain exceptions to the inventory limitations are stated in paragraphs (h) and (i) of this section.

This section replaces Priorities Regulation 32 of the Civilian Production Administration, which is being revoked by CPA simultaneously with the issuance of this section. This section covers only certain building materials required in the VEHP and therefore is of narrower scope than the former CPA PR-32.

DEFINITIONS

(b) *Definitions.* For the purpose of this section:

(1) "Table I materials" means the materials listed in the table at the end of this section.

(2) "Users" or "persons buying for use" means persons (including Government operated consuming establishments) who use a material for production, operating supplies, maintenance and repair, or for construction, whether for their own account or for the account of another.

(3) A person's "practicable minimum working inventory" means the inventory reasonably necessary to meet his own deliveries, or to supply his services, on the basis of his current or scheduled method and rate of operation.

(4) "OHE" means Office of the Housing Expediter.

(5) "This section" means this Priorities Regulation 32.

GENERAL RESTRICTIONS

(c) *Restriction on delivery.* No person may deliver any Table 1 material if he knows or has reason to believe that acceptance of the delivery would be in violation of this section.

NOTE: For rule on making or delivering Table 1 materials earlier than required by customers, see Interpretation 3.

(d) *Restrictions on receipts.* This section places the following restrictions on receipts of Table 1 materials:

(1) *Users.* No person buying for use may accept delivery of any Table 1 material if his inventory of that material is, or will be, larger than the smaller of the following two amounts:

(i) A "practicable minimum working inventory" (see definition in paragraph (b) (3) of this section).

(ii) The amount he needs, on the basis of his current or scheduled method and rate of operation, during the period specified in the table at the end of this section, if such period is specified. (This restriction (ii) applies only within the 48 States and the District of Columbia.)

NOTE: For rule on when material is considered to be in inventory, see Interpretation 4; for rule as to seasonal industries, see Interpretation 1.

(2) *Resellers.* No person buying for resale may accept delivery of any Table 1 material if his inventory of that material is, or will be, more than a "practicable minimum working inventory."

(3) *VHP-1 builders.* No person may receive any Table 1 material for use in a construction project for which an authorization under VHP-1 is necessary, unless an authorization for the project has already been obtained.

(e) *Restriction on ordering more than needed.* A person may not place any order, whether rated or unrated, calling for delivery of any Table 1 material in larger amounts than he would be permitted to receive under this section, or on an earlier date than permitted under other applicable OHE regulations or orders (such as Schedule A to PR 33 or HEPR 6).

Orders totalling more than he is allowed to receive may not be placed with different suppliers even though he intends to cancel one or more of them before delivery. The restriction does not forbid the placing of orders for delivery under the conditions explained in Interpretation 11 to Priorities Regulation 1, but such orders may not be scheduled for production by the supplier as long as this restriction is effective.

(f) *Adjusting outstanding orders when requirements change.* A person who has ordered any Table 1 material for future delivery must promptly adjust his outstanding orders; and if necessary postpone or cancel them, if his requirements change so that he would exceed the limits prescribed by this section if he accepted delivery on the date specified. Such a change in his requirements might occur because of a change in his operations, slowing or stoppage of production, delayed delivery by another supplier, or other reasons.

(g) *Restriction on processing.* No person may process any Table 1 ma-

terial if his inventory of the material in its processed form (including the form in which he sells it) is, or will be, more than a "practicable minimum working inventory." The term "process" includes fabricating, or otherwise altering the shape or form of the material.

This limitation applies whether the manufacturer does his own processing or has it done for his account by others. He may not exceed it by causing or permitting avoidable delays in transportation, storage, or processing.

EXCEPTIONS

(h) *General exceptions.* This paragraph states general exceptions to the restrictions on acceptance of delivery described in paragraph (d) of this section, and to all other inventory restrictions on delivery and acceptance of delivery in applicable OHE regulations and orders unless they contain specific provisions to the contrary. None of these or any other exceptions to OHE inventory restrictions on receipts permit a supplier to disregard any applicable OHE regulation or order which restricts production or delivery.

(1) *Imported materials.* A person may import any material without regard to OHE inventory restrictions. However, if his inventory of it thereby becomes in excess of the amount permitted by this section, he may not receive further deliveries of it from domestic sources until his inventory is reduced to permitted levels. The inventory restrictions of this section do apply to any deliveries of the imported material that any person accepting delivery from him may receive.

(2) *Advance stockpiling for new production.* A person may receive, in anticipation of starting or resuming production, the minimum amount of material or equipment he would need during the first 30 days of such production, provided no priorities assistance is used to get the material or equipment. Records of such receipts and the basis on which they were computed must be preserved as required by Priorities Regulation 1. This 30-day amount is a ceiling as far as advance stockpiling is concerned, and may not be considered as a "bonus" to be added to the amount of any material which a producer expects to have available for making his new product. This paragraph relates to production only and does not permit the advance stockpiling of building materials for construction purposes.

(3) *Minimum sale quantities.* Minimum sale quantities and production runs may be accepted to the extent permitted by Interpretation 2 to this regulation. However, after receiving a minimum sale quantity of any material, a person may not accept delivery of any additional quantities until his inventory of it is within applicable limits.

(i) *Receipts permitted after adjustment of orders.* Where a person has promptly adjusted his outstanding orders with his supplier as required by paragraph (f) of this section, and the supplier is not otherwise prohibited from producing or delivering any material involved, delivery of it may be made and accepted and the inventory restrictions

of paragraph (d) of this section exceeded to the following extent, but no further:

(1) Delivery may be made and accepted if the supplier has shipped the material or loaded it for shipment before the receipt of the instruction to adjust.

(2) Delivery may be made and accepted of (i) any special item which the supplier actually has in stock or in production, or (ii) special components or special materials which he has acquired for the purpose of filling the order. A special item means one that the supplier does not usually make, stock, or sell, and which cannot readily be disposed of to others.

(3) Even if the material is not a special item, delivery may be made by, and accepted from a producer, if it has already been produced or is in production before receipt of the instruction to adjust, and it cannot be used to fill other orders on the producer's books.

NOTE: For effect of reduction in consumption rate on permitted inventories, see Interpretation 5.

MISCELLANEOUS PROVISIONS

(j) *Separate inventories.* (1) In figuring his inventory, a person must include all material in his possession and all material held for his account by another person, but not material held by him for the account of another person.

(2) In the case of a person who on August 28, 1945, had more than one operating unit and kept separate inventory records for them, this section applies to each such operating unit or division independently. A person may not make any further separation or consolidation of such operating units without special written approval of the Housing Expediter unless it is purely incidental to a separation or consolidation which is made primarily for other than inventory purposes.

(k) *Violations.* Any person who willfully violates any provision of this section, or who, in connection with this section, willfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. Any person who violates any provision of this section may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control.

(l) *Communications and appeals.* Communications regarding the provisions of this section should be addressed to the Housing Expediter, Washington 25, D. C., Ref. PR 32. Any person who considers that compliance with any provision in this section would result in an exceptional and unreasonable hardship on him may appeal for relief. An appeal shall be in the form of a letter in triplicate, addressed to the Housing Expediter, Washington 25, D. C., Ref. PR 32, clearly stating the specific provision appealed from and the grounds for claiming an exceptional and unreasonable hardship.

(m) *Reporting requirements approved.* The reporting requirements of this section have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(n) *Effective date.* The effective date of this section is April 1, 1947.

(60 Stat. 207; 56 Stat. 177, as amended; E. O. 9836, 12 F. R. 1939)

Issued this 31st day of March 1947.

FRANK R. CREEDON,
Housing Expediter.

TABLE 1—MATERIALS SUBJECT TO THIS SECTION

Explanation. Receipts by "users" of materials listed in Column 1 are subject to the specific inventory provisions shown in Column 2, or a "practicable minimum working inventory," whichever is less. (See paragraph (d) (1) of this section.) If no specific provision is shown in Column 2, the "practicable minimum working inventory" restriction of paragraph (d) (1) (i) of this section controls.

Receipts by resellers are subject to the restriction of paragraph (d) (2) of this section. Ordering and processing restrictions are in paragraphs (e) and (g) of this section.

Only residential types of the items listed in the table are covered by this section. The fact that a residential type may also be suitable for nonresidential use does not take it out of the "residential" class.

Material (1)	Inventory Limitation (2)		
A. Lumber Materials			
Flooring, hardwood (all grades).	60 days ¹	Cement, portland (all types including high early strength, limestone, slag, and sulfate resistant).	
Lumber, housing construction (softwood—flooring, ceiling, siding, partition, casing, base, moulding stock, strips and boards, two-inch dimension, finish, lath and shop other than Douglas fir and Western pine shop controlled by VHP 5).		Tile, common and face, structural.	
Millwork as defined in VHP 5.		E. Plumbing and Heating Supplies	
Plywood, construction (softwood) (Interior (moisture resistant): $\frac{1}{4}$ " and $\frac{3}{8}$ " sanded or $\frac{5}{16}$ " and $\frac{1}{2}$ " unsanded wallboard; and $\frac{1}{2}$ " unsanded wallboard; $\frac{1}{4}$ " and $\frac{3}{8}$ " sanded or $\frac{5}{16}$ " and $\frac{1}{2}$ " unsanded sound oneside plywood; $\frac{5}{16}$ ", $\frac{3}{8}$ ", $\frac{1}{2}$ " and $\frac{5}{8}$ " sheathing; and Exterior: $\frac{1}{4}$ " and $\frac{3}{8}$ " sanded or $\frac{5}{16}$ " and $\frac{1}{2}$ " unsanded sound oneside plywood).	Bathtubs (steel, cast iron).		
B. Electrical Wiring Materials		Bollers, low pressure, for heating and hot water.	
Cable, metallic or nonmetallic sheathed.		Controls, temperature and combustion, for heating and hot water.	
Lighting fixtures, not including portable lamps.		Fittings and trim (brass tubular goods included) for bathtubs, kitchen sinks, lavatories, and waterclosets.	
Raceways (including rigid and flexible conduit, thin-wall metallic tubing, surface metal raceways) and fittings.		Furnace pipes, fittings, and duct work.	
Service entrance equipment (of the following kinds only: (a) Fuse cut-outs; (b) meter pans; (c) panel-boards; (d) service switches).		Furnaces, floor, wall.	
¹ The inventory limitations of this section apply to the total amount of lumber in usable condition in the user's inventory rather than item by item. The restrictions do not apply to receipts of green lumber which must be seasoned by the user before it is usable for the purpose for which it was purchased. However, no such receipts may be accepted if the user's inventory of insufficiently seasoned green lumber is, or will be, in excess of a practicable minimum working inventory. Moreover, when such lumber is sufficiently seasoned for use it must be counted in determining whether or not the person is eligible to accept any further deliveries of lumber in usable condition under the limitations of this Table 1.		Furnaces, warm air (forced or gravity circulation types of the following kinds only: (a) Gas-fired—rated input 110,000 or less B. T. U. per hour; (b) oil-fired—rated output 100,000 or less B. T. U. per hour; (c) coal-fired—grate not larger than either 2.64 sq. ft. in area or 22" in diameter).	
		Kitchen sinks and undersink cabinets. (This includes sinks and sink-and-tray combinations, undersink cabinets with or without sinks, and any fixture containing a kitchen sink.)	
		Lavatories.	
		Oil burners, domestic.	
		Pipe, bituminized fibre, for drains and sewers.	
		Pipe, sewer, clay.	
		Pipe, soil, cast iron, and fittings for such pipe.	20 days
		Pipe fittings, screwed (of the following kinds only):	
		(a) Gray cast recessed drainage, 2" and under;	
		(b) Gray cast steam fittings, 3" and under (125 lbs. S. W. P.);	
		(c) Malleable fittings, including unions, 2" and under (150 lbs. S. W. P.).	
		Pipe nipples, steel and wrought iron, black and galvanized, sizes $\frac{3}{8}$ " to 4" inclusive, in lengths 6" and less, made from standard weight pipe.	
		Radiation, convactor and cast iron, including accompanying metal enclosures and grilles.	45 days
		Range boilers.	
		Doors and frames, hollow metal and balamela.	
		Window cash and frames, metal (of the following types only: casements; double hung windows; basement windows).	
		H. Wall and Roof Materials	
		Asbestos-cement flat sheets, $\frac{1}{4}$ " thick or less. This does not include electrical and insulation grades.	45 days
		Building board (products made from wood pulp, vegetable fibres, pressed paper stock, or multiple plies of fibred stock, produced for use in building construction, and commonly described as structural insulation board, sheathing, lath, tile board, plank, thin board or laminated fibre tile board). This does not include the following: acoustical tile, asbestos-cement faced insulation board, mineral surfaced insulation board, roof insulation, and products commonly described as "hard board."	30 days ²
		Gypsum board (products made from gypsum and commonly described as wall board, wide board, laminated board). This does not include precast reinforced gypsum roof plank.	30 days
		Gypsum lath (gypsum products especially made for use as a plaster base).	30 days
		Lime, finishing.	
		Papers, building and sheathing (of the following kinds only: (a) Asphalt sheathing paper; (b) laminated papers, consisting of two or more plies of paper cemented together with asphalt; (c) metal foil, designed for building use and consisting of one or more layers of metal foil laminated with one or more layers of paper; (d) resinized, red resin, and house sheathing paper; (e) slaters felt weighing approximately 25 lbs. per 500 square-foot roll).	
		² The inventory limitations apply to the total amount in the user's inventory rather than item by item.	

¹The inventory limitations of this section apply to the total amount of lumber in usable condition in the user's inventory rather than item by item. The restrictions do not apply to receipts of green lumber which must be seasoned by the user before it is usable for the purpose for which it was purchased. However, no such receipts may be accepted if the user's inventory of insufficiently seasoned green lumber is, or will be, in excess of a practicable minimum working inventory. Moreover, when such lumber is sufficiently seasoned for use it must be counted in determining whether or not the person is eligible to accept any further deliveries of lumber in usable condition under the limitations of this Table 1.

²The inventory limitations apply to the total amount in the user's inventory rather than item by item.

Material (1)	Inventory Limitation (2)
H. Wall and Roof Materials—Con.	
Plaster, hardwall (gypsum plaster—basic, ready-mixed and guaging—made for use in applying base or finish coats to lathed interior walls).	
Plaster base (metal lath and accessories for metal lath).	30 days
Shingles (asbestos-cement, asphalt, slate, wood).	
I. Miscellaneous Building Materials	
Cabinets, metal, attachable or built-in types for kitchens or bathrooms.	
Floor coverings (of the following types only: (a) Felt-base; (b) linoleum (up to battleship grade); (c) mastics; (d) asphalt tile; (e) rubber tile).	
Gutters and downspouts.	
Insect screen cloth, metal or plastic.	30 days
Lead caulking.	
Paints, house, exterior — ready mixed, paste, semipaste, and lead-in-oil. This is limited to primers, under-coats, finish coats, and stucco and cement-paints only. It does not include such paints as trim colors, porch and deck paints and exterior enamels. This is also limited to lead-in-oil in 1½ lb. and larger containers and to the other paints in 1-gal. and larger containers.	
Weatherstripping, metal.	

INTERPRETATION 1

INVENTORIES IN SEASONAL INDUSTRIES

Paragraphs (d) (1) and (2) of Priorities Regulation 32 prohibit any person from accepting a delivery which will give him more than a "practicable minimum working inventory" reasonably necessary to meet his own deliveries on the basis of his current or scheduled method and rate of operation. This does not prevent a person engaged in a seasonal industry who normally stocks up inventory in advance of the season from accepting delivery of his requirements of the inventory in question: *Provided*, (a) That he is not guilty of hoarding, and (b) That the deliveries accepted are no greater and no further in advance than those which he would normally accept in the ordinary course of his business to meet reasonably anticipated requirements. (Issued March 31, 1947.)

INTERPRETATION 2

MINIMUM SALE QUANTITIES AND PRODUCTION RUNS

(a) *Applicable provisions of the regulations.* Priorities Regulation 32 forbids the making or acceptance of a delivery which will give the customer more than the "practicable minimum working inventory" reasonably necessary for him to make his own deliveries. A similar provision in paragraph (c) (2) of Priorities Regulation No. 3 says that a customer who is applying a rating for which no specific quantities have been authorized may use it only to get the "minimum amount needed."

(b) *Factors to be considered in determining how much can be ordered and delivered.* In determining a customer's minimum inventory "reasonably necessary" under Priorities Regulation 32 or his "minimum amount needed" under Priorities Regulation No. 3, it is proper in some cases to consider not only the immediate needs of the customer's plant but also whether the amount which he orders will be a minimum production run for his supplier. The customer may order and receive

(and the supplier may deliver) the customer's requirements for a longer period in advance than he actually needs at the time of delivery if, but only if, it is not practicable for him to get the item from any supplier in the smaller quantities which he presently needs. The supplier may reject his customer's order if it is less than the minimum which he regularly sells or less than his minimum production run of a product which is mass-produced under the conditions explained in Interpretation 3 of Priorities Regulation 1.

(c) *Relief in exceptional cases.* If the conditions stated in paragraph (b) above cannot be satisfied but the customer wants to order or accept delivery of more than his actual needs at the time of delivery, he should apply to the Housing Expediter for permission, stating the facts and why it is not practicable to satisfy the condition of paragraph (b).

(d) *Specific limits on ratings may not be exceeded.* This interpretation does not apply to the use of a rating where a specific quantity is stated in the instrument assigning the rating. If a person is assigned a rating for a specific amount of material, he may not use it to get more. If he finds that he can only get the material in larger quantities, he should apply for a modification of the rating.

(e) *No effect on contractual rights.* The times and amounts in which deliveries are to be made are to be determined by agreement between the supplier and the customer. Nothing in this interpretation relieves a supplier from fulfilling a contract to make deliveries at specified time in specified amounts. For example, if a customer has agreed to buy and a supplier has agreed to furnish 100 units a month for six months, this interpretation does not obligate the buyer to accept 600 units delivered during the first month, although it permits him to do so under the conditions described in paragraph (b). (Issued March 31, 1947.)

INTERPRETATION 3

MAKING OR DELIVERING MATERIAL EARLIER THAN REQUIRED BY CUSTOMERS

(a) Paragraph (c) of Priorities Regulation 32 prohibits a person from knowingly making a delivery which will give his customer more than the latter is permitted to receive under the regulation. Paragraph (g) of that regulation prohibits a person from processing or fabricating material if his inventory of the material in its processed or fabricated form will be more than a practicable minimum working inventory. These two restrictions should be borne in mind by any supplier who wants to make or deliver any material to his customer earlier or in greater quantities than required by the customer.

(b) For example: A supplier has accepted his customer's order of a product to be delivered at the rate of 100 a month for six months. The supplier would like to ship 200 a month for three months, or perhaps the entire 600 in the first month. Since the customer's requirements of 100 a month are presumably all he could accept within the inventory limitations of paragraph (d) of the regulation, the requirement that the supplier may not knowingly ship more than this would prevent him from delivering earlier than required by his customer, unless he received notice from his customer that the receipt of the larger amount would not cause him to have an excess inventory.

(c) Thus, before delivering a material or product substantially earlier or in greater quantities than is called for by his customer's order a supplier is requested to satisfy himself that the receipt by the customer of the changed quantities will be within the permissible inventory limitations applicable to the customer. The supplier may rely on any statement or notice to this effect from his customer, unless he knows or has reason to know that it is false.

(d) Similarly, assuming his customer would not be permitted to receive the larger quantities, the supplier should take this into account in his plans for processing the material or product so that he himself will not have an inventory greater than permitted by paragraph (g) of the regulation.

(e) This interpretation, of course, does not change the rule on delivery or acceptance of minimum sale quantities or production runs to the extent described in Interpretation 2 to this regulation. (Issued March 31, 1947.)

INTERPRETATION 4

INVENTORY MATERIAL

(a) Paragraph (d) of Priorities Regulation 32 prohibits a person from accepting delivery of material if his inventory of it is, or will be, greater than the maximum prescribed. For the purpose of this regulation, material is considered to be inventory until it is actually put into process or is actually installed or assembled. Putting into process does not include minor initial operations such as painting, and does not include any shearing, cutting, trimming or other operation unless such initial operations are part of a continuous fabricating or assembling operation. Nor does it include operations such as inspection, testing and ageing nor segregation or earmarking for a specific job or operation.

(b) For example, if a manufacturer who uses lumber cuts a sufficient quantity of it to length at one time to maintain his operations for a considerable period of time, the cut pieces remain as inventory until processed into another form or until assembled or installed. (Issued March 31, 1947.)

INTERPRETATION 5

EFFECT OF REDUCTION IN CONSUMPTION RATE ON PERMITTED INVENTORIES

(a) Paragraph (d) of Priorities Regulation 32 prohibits the acceptance of delivery of material if a person's inventory of it is or will be, more than the amount permitted by the regulation. If material is acquired within these restrictions the regulation does not prohibit the mere possession of an inventory if a change in circumstances makes it greater than the amount permitted. For instance, if based upon current rate of production a manufacturer's permitted inventory of a certain item is 100 and he has in inventory 60, he may receive a further delivery of 40. If after receiving the delivery of 40 his rate of consumption, because of contract cancellation or the like, is reduced drastically the mere fact that he has an inventory of 100, although his permitted inventory may be only 10, is not a violation of the regulation. He may not, of course, accept any further deliveries of that item until his inventory has been reduced below 10 (except as provided in paragraph (i) of Priorities Regulation 32 relating to material already shipped, special items, etc.).

(b) Similarly, the regulation does not affect the liability of a customer for material in inventory when the customer cancels his contract. Such liability is controlled by the provisions of the contract between the customer and his supplier and by contract law. (Issued March 31, 1947.)

[F. R. Doc. 47-3156; Filed, Mar. 31, 1947; 11:21 a. m.]

[Priorities Reg. 33, Schedule A, as Amended March 3, 1947, Amdt. 1]

PART 803—PRIORITIES REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

Section 803.11a, *Schedule A to Priorities Regulation 33*, is amended as follows:

1. Add the following subparagraph at the end of paragraph (c):

(6) *Cut-off date.* No order bearing an HH rating may be placed by a builder, contractor, sub-contractor, or prefabricator after April 15, 1947. The placing of such orders is subject to the 30-day and three-month time restrictions of paragraph (c) (2) of this section. An HH rated order which conforms with the specifications of this paragraph remains valid until filled.

However, a builder, contractor, sub-contractor, or prefabricator who is authorized to place HH rated orders may request relief from the restrictions of this paragraph (c) (6) if (i) for reasons beyond his control, he is unable to place his order by April 15, 1947, or (ii) he is not entitled to specify a delivery date which meets the time restrictions of paragraph (c) (2) of this section. He may request relief by sending in an explanatory letter, in triplicate, no later than June 1, 1947, to the appropriate local office of the Federal Housing Administration in all cases except those in which his original application for priorities assistance was filed with the Federal Public Housing Authority. In such cases, he should address his request to the appropriate FPHA Regional Office. In general, relief will be granted only where it is shown that exceptional and unreasonable hardship will otherwise result to the applicant.

A person to whom such relief is granted may apply an HH rating by placing on his order the certificate specified in paragraph (c) (5) of this section, adding to that certificate the following sentence: "Use of HH rating after April 15, 1947 authorized under Schedule A to PR 33."

This paragraph (c) (6) does not apply to certified HH and HHH rated orders, since they are covered by Direction 11 to PR 33.

2. Renumber the present paragraph (d) as "(e)" and insert the following as paragraph (d):

(d) *Use of materials: "Special sales."* Under PR 1, materials obtained with priorities assistance must, if possible, be used for the purposes for which the assistance was given. Rules for "special sales" of such materials in cases where it was not possible to use them for the original purposes have been set out in PR 13. Due to revocation of PR 13, effective April 1, 1947, this Schedule A now contains the rules for "special sales" of certain materials after April 1, 1947.

(1). *Permitted sales.* These rules apply only to materials obtained with priorities assistance for the housing program (HHH ratings, HH ratings, or certified orders authorized under PR 33, directions to PR 33, HEPR-5, or HEPR-6). A person who has such material which he is unable to use for the authorized purposes may sell it as follows. If all the material of the same kind that he has at any one location did not cost him more than \$100, he may sell it free of the restrictions of this paragraph. If, however, the material cost him more than \$100, he may sell it only to any of the following persons, upon the

basis of a buyer's certificate as set out in paragraph (d) (2) of this section:

(i) A builder, contractor, or sub-contractor, for his use in housing accommodations specifically authorized under PR 33, HEPR-5, or HPR;

(ii) A prefabricator who has received an authorization under Direction 8 to PR 33 or HEPR-6, for his use in making prefabricated houses, sections, panels, or packages;

(iii) A builder, contractor, or sub-contractor, for his use in the Veterans' Administration Construction Program;

(iv) A distributor or dealer, for resale to any person who is listed in (i), (ii), or (iii), or in this subparagraph (iv), who gives the certificate specified in paragraph (d) (2) of this section:

(v) A producer, or reprocessor, of the same kind of material, for resale to any person who is listed in (i), (ii), (iii), or (iv) and who gives the certificate specified in paragraph (d) (2) of this section.

(2) *Buyer's certificate.* The buyer's certificate required in paragraph (d) (1) of this section must be in substantially the following form:

The undersigned certifies to the U. S. Government, subject to the criminal penalties of section 35 (A) of the U. S. Criminal Code, that he is eligible, under Schedule A to PR 33, to buy the materials covered by this order and that he will use or dispose of them only as permitted by that Schedule.

Buyer's signature

Any person giving this certificate may use or dispose of the materials which he gets with it only in accordance with this Schedule A. Any person who has given the certificate previously specified in PR 13 for the class of materials referred to in paragraph (d) (1) of this section may use or dispose of those materials only in accordance with the certificate he gave or in accordance with this Schedule A.

(60 Stat. 207; 56 Stat. 177, as amended; E. O. 9836, 12 F. R. 1939)

Issued this 31st day of March 1947, to become effective April 1, 1947.

FRANK R. CREEDON,
Housing Expediter.

[F. R. Doc. 47-3154; Filed, Mar. 31, 1947; 11:21 a. m.]

[Priorities Reg. 33, Dir. 8, as Amended March 31, 1947]

PART 803—PRIORITIES REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

PREFABRICATED HOUSING

The following amended direction is issued pursuant to Priorities Regulation 33:

(a) *What this section does.* This section, Direction 8 to Priorities Regulation 33, explains the restrictions on prefabricators' and dealers' (wholesale and retail) sales of prefabricated houses, sections, panels, or packages. The sales restrictions in this section apply to all such items (as defined below) regardless of whether or not they were pro-

duced with priorities assistance under this section.

Housing Expediter Priorities Regulation 6 explains how priorities assistance was issued to qualified prefabricators prior to December 24, 1946. It sets out the rules governing prefabricators' use of priorities assistance, and explains how prefabricators may use materials obtained with such assistance.

This section was formerly issued by the Civilian Production Administration. As of April 1, 1947, it has been transferred to the Housing Expediter, and adopted by him through Housing Expediter Priorities Order 5.

DEFINITIONS

(b) *Definitions.* For the purpose of this section:

(1) "Prefabricator" means a person engaged in the business of manufacturing prefabricated houses, sections, or panels.

(2) "Prefabricated house" means a house of which at least the exterior walls are formed by the assembly of prefabricated sections or panels as defined below. The term "prefabricated house" does not include house trailers.

(3) "Prefabricated section" means a house section which is manufactured in a factory, is transported without being taken apart, and is designed to be used in combination with one or more prefabricated sections, prefabricated panels, or conventionally constructed elements to produce housing accommodations.

(4) "Prefabricated panel" means a floor, wall, partition, ceiling, roof, or truss panel which is manufactured in a factory and is designed to be used in combination with one or more prefabricated sections, prefabricated panels, or conventionally constructed elements to produce housing accommodations. Prefabricated panels may, but need not, incorporate such items as window and door frames, eads, doors, builders' hardware, wiring piping, etc.

(5) "Prefabricated package" means the aggregation of prefabricated sections or panels and building materials and equipment shipped, in a lot, by a prefabricator.

(6) The terms "prefabricated panel" and "prefabricated section" do not include: (i) fabricated structural steel such as columns or beams, (ii) millwork, (iii) items of furniture and equipment not to be permanently attached to and made a part of a house, or (iv) building materials cut to size and shape for assembly at the building site (unless shipped by the prefabricator as part of the prefabricated package he supplies).

(7) Any prefabricated house, section, panel, or package containing materials obtained with priorities assistance given on Forms CPA-4415 or NHA-14-53, under this section or under HEPR 6, is "produced" or "manufactured" under this section.

(8) "This section" means this Direction 8 to Priorities Regulation 33.

PRIORITIES ASSISTANCE FOR PREFABRICATORS

(c) *Prefabricators' applications for priorities assistance.* After December 24, 1946, no priorities assistance will be given to prefabricators, under this section (or under HEPR 6), for the manufacture of prefabricated houses, sections, panels, and packages. However, authorizations given before that date remain valid for the periods covered by them.

(d) *Prefabricators' use of priorities assistance.* Prefabricators to whom priorities assistance has been given may use that assistance, and material obtained with the assistance, only in accordance with applicable regulations (including the provisions of paragraph (c) of Schedule A to PR 33). In addition, any conditions and limitations placed under HEPR 6 must be complied with.

RULES AND REGULATIONS

SALES PROVISIONS

(e) *Unerected sales.* In selling unerected prefabricated houses, sections, panels, or packages, a prefabricator or a dealer must accept and fill rated orders in preference to unrated orders in accordance with the rules of PR 1. This applies regardless of whether or not the items were produced under this section.

(f) *Erected sales.* In selling erected prefabricated houses, sections, panels, or packages, a prefabricator or dealer must comply with the rules of PR 33, HEPR 5 or the Housing Permit Regulation (whichever is applicable). This applies regardless of whether or not the items were produced under this section.

(g) *Applicability of VHP 1.* Erection of a prefabricated house, section, panel, or package is "construction" under Order VHP 1. Consequently, such construction must be authorized unless any of the exemptions in VHP 1 are applicable. A person wishing to erect, for his own use or for sale, may apply under the Housing Permit Regulation for authorization by the Federal Housing Administration (or, in appropriate cases, by the Federal Public Housing Authority).

(h) *Extending customers' HH ratings—(1) Extension by prefabricators prohibited.* A prefabricator must not extend an HH rating which he receives from a customer.

(2) *Extension by dealers permitted.* A dealer who receives an HH or HHH rated order from a customer for a prefabricated house, section, panel, or package may extend the rating to get the item for sale to that customer or to replace an item sold out of inventory to that customer on the rated order.

DISPOSAL OF MATERIALS

(i) *Disposal of materials.* In accordance with Priorities Regulation 1, materials obtained by a prefabricator with priorities assistance under this section or HEPR 6 may be used by him only for the purposes for which the assistance was given. If he is unable to use the materials for those purposes, he may use or dispose of them only as follows:

(1) By "special sale" in accordance with Schedule A to PR 33.

(2) By such other use as may be authorized in writing by the Housing Expediter.

MISCELLANEOUS PROVISIONS

(j) *Technical provision.* A reference to Direction 8 to PR 33 in any regulation or order shall, where appropriate, be deemed a reference to HEPR 6 also.

(k) *Communications and appeals.* Communications regarding the provisions of this section, and appeals from these provisions, should be sent to the Housing Expediter, Washington 25, D. C., Ref: Dir. 8 to PR 33. An appeal should be made by letter, in triplicate, stating the particular provision appealed from and the full grounds for the appeal.

(l) *Violations.* Any person who willfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, materials under priority control and may be deprived of priorities assistance.

(m) *Reporting and record-keeping requirements approved.* The reporting and record-keeping requirements of this section have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(60 Stat. 207; 56 Stat. 177, as amended; E. O. 9836, 12 F. R. 1939)

Issued this 31st day of March 1947, to become effective April 1, 1947.

FRANK R. CREEDON,
Housing Expediter.

[F. R. Doc. 47-3158; Filed, Mar. 31, 1947; 11:22 a. m.]

[Housing Permit Reg., as Amended Feb. 13, 1947, Amdt. 2]

PART 806—HOUSING PERMIT REGULATION UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

Section 806.1, Housing Permit Regulation, is amended in the following respects.

Paragraph (b) (2) is amended to read as follows:

§ 806.1 *Authorization for housing*

(b) *Housing construction covered by this section.*

(2) If a project under this section involves construction, additions, alterations, or repairs of which more than 25% is non-residential, it must be established that the non-residential part of the work is essential.

Issued this 31st day of March 1947, to become effective April 1, 1947.

FRANK R. CREEDON,
Housing Expediter.

[F. R. Doc. 47-3153 Filed, Mar. 31, 1947; 11:21 a. m.]

PART 851—ORGANIZATION, DESCRIPTION, INCLUDING DELEGATIONS OF FINAL AUTHORITY

MISCELLANEOUS AMENDMENTS

By Executive Order 9836 issued March 22, 1947, effective April 1, 1947, the President has transferred to the Housing Expediter all functions of the Temporary Controls Administrator and of the Office of Temporary Controls with respect to the Veterans' Emergency Housing Program which have previously been administered by the Civilian Production Administration in the Office of Temporary Controls. By the same Executive order the President has delegated to the Housing Expediter, to the extent necessary for the proper exercise of the functions which were transferred, the powers and authority vested in the President by Title III of the Second War Powers Act, 1942, as amended. These powers and this authority are in addition to those vested in the Housing Expediter by the Veterans' Emergency Housing Act of 1946. To permit the carrying out of the functions transferred to the Housing Expediter by this Executive order, the Organization Description, including Delegations of Final Authority, of the Office of the Housing Expediter, Part 851 of this chapter, is amended to include the following sections:

SUBPART A—CENTRAL OFFICE

§ 851.8a *Office of Compliance Commissioners.* The following organiza-

12 F. R. 2090.

tional and procedural documents of the Civilian Production Administration, or parts of such documents, relating to the Office of Compliance Commissioners are hereby adopted, ratified and confirmed for the Office of the Housing Expediter and shall remain in full force and effect until revoked or amended by the Housing Expediter:

(a) § 903.204, Organizational Document 1, Civilian Production Administration, 11 F. R. 177A-372.

(b) Procedural Document 5, Civilian Production Administration, 11 F. R. 177A-372.

(c) Procedural Document 6, Civilian Production Administration, 11 F. R. 177A-372.

§ 851.8b *Compliance Division.* The following organizational and procedural documents of the Civilian Production Administration, or parts of such documents, relating to the Compliance Division are hereby adopted, ratified and confirmed for the Office of the Housing Expediter and shall remain in full force and effect until revoked or amended by the Housing Expediter:

(a) § 903.210 (1), Organizational Document 1, Civilian Production Administration, 11 F. R. 177A-372.

(b) Procedural Document 5, Civilian Production Administration, 11 F. R. 177A-372.

(c) Procedural Document 6, Civilian Production Administration, 11 F. R. 177A-372.

§ 851.8c *Division of Non-Residential Construction.* The Division of Non-Residential Construction is responsible for the conservation of scarce building materials necessary for the Veterans' Emergency Housing Program and other essential construction.

The conservation of building materials is accomplished primarily through the administration of the Veterans' Housing Program Order (VHP-1) which restricts construction. The Division of Non-Residential Construction processes applications for all types of non-housing construction.

The Division of Non-Residential Construction is comprised of the Office of the Director, the Field Operations Section which directs the District Construction Offices, the Project Processing Section and the Facilities Review Committee.

(a) The Field Operations Section directs the activities of the District Construction Offices listed in § 851.15a that are established in principal cities throughout the country and in Honolulu and Puerto Rico.

(b) The District Construction Offices receive all non-housing applications submitted under VHP-1. The managers and assistant managers of the District Construction Offices are authorized to take action with respect to these applications as provided below under "Delegations of Authority."

Certain applications may be referred to the Washington Office for administrative action even though ordinarily within the scope of the District Construction Manager or Assistant Manager's authority. These include cases where considerations of national policy are involved or where

additional special information is available only to the Washington Office.

A District Construction Committee, composed of a group of public advisers representative of the major economic interests of the locality assists each District Construction Manager in the review of the applications. Each committee generally includes a representative from an industrial interest, such as manufacturing, mining, lumber, etc., from the construction materials distribution industry, from the construction industry, from construction labor, from commercial interests, from the press, from state or civic government, and a representative of veterans of World War II. The committee acts in an advisory capacity to the District Construction Manager who has sole authority to approve or deny the applications coming within his jurisdiction.

(c) The Project Processing Section is responsible for the approval or denial of applications for construction projects under the following circumstances:

(1) When the application is beyond the scope of field authority.

(2) When the application is on appeal from a decision rendered by the District Construction Manager or Assistant Manager.

(3) When the project requires consideration on a national scale.

The Project Processing Section refers to the Facilities Review Committee appeals on all cases which it has previously denied unless the decision of denial is reversed and the case approved. It may, however, refer any case which it elects to the Facilities Review Committee.

(d) The Facilities Review Committee is composed of a chairman designated by the Director of the Division of Non-Residential Construction and in addition representatives of the Labor Advisory Service, the Review and Analysis Branch, and the Project Processing Section. This committee reviews applications for construction projects that are referred to it by the Project Processing Section. The committee acts in an advisory capacity to the chairman who has authority to approve or deny applications.

SUBPART B—REGIONAL OFFICES

§ 851.15a *District Construction Offices.* The following is a list of the District Construction Offices, Division of Non-Residential Construction, Office of Housing Expediter:

State, City, and Address

Alabama: Birmingham, Dixie Carlton Hotel, 3d Ave. and 23d St.
 Arizona: Phoenix, 614 Goodrich Bldg., Central and Washington.
 Arkansas: Little Rock, 428 Louisiana St.
 California: Los Angeles, W. M. Garland Bldg., Room 703; San Diego, 355 Civic Center; San Francisco, 1355 Market St.
 Colorado: Denver, 523 Continental Oil Bldg.
 Connecticut: Hartford, 115 Broad St.
 Delaware: Wilmington, Penn. Office Bldg., Room 301.
 District of Columbia: Washington, 1200 15th St., NW.
 Florida: Jacksonville, George Washington Hotel Annex; Miami, 25 Northeast 3d St.
 Georgia: Atlanta, 619 Peachtree St.

Honolulu: Hawaii, Bldg. I, Iolani Palace.
 Idaho: Boise, 119 North 8th St.
 Illinois: Chicago, 228 West Jackson Blvd.; Springfield, Old High School Bldg., 301 West Adams St.
 Indiana: Indianapolis, Room 317, Krueger Bldg.
 Iowa: Des Moines, 316 Home Federal Bldg., 518 Grand Ave.
 Kansas: Topeka, 700-02 Kansas Ave.
 Kentucky: Louisville, 1397 Heyburn Bldg.
 Louisiana: New Orleans, 1412 Masonic Temple.
 Maine: Bangor, 8 Harlow St.
 Maryland: Baltimore, 1100 North Charles St.
 Massachusetts: Boston, 632-40 Broad St.; Springfield, 1597 Main St.
 Michigan: Detroit, 600 Blvd. Bldg., Grand Rapids, 730 Keeler Bldg.
 Minnesota: Minneapolis, Midland Bank Bldg., Room 447.
 Mississippi: Jackson, 107 South President St.
 Missouri: Kansas City, 600 Mutual Bldg.; St. Louis, Room 434, Old Customs House.
 Montana: Helena, Suite 1, Fenwell Block.
 Nebraska: Omaha, Arthur Bldg., 2d Floor, 210 South 18th St.
 Nevada: Reno, 56 Boyd Pl.
 New Hampshire: Manchester, 814 Elm St.
 New Jersey: Newark, 309 Washington St.
 New Mexico: Albuquerque, 2d Floor, City Hall.
 New York: Albany, 75 State St.; Buffalo, 17 Court St.; New York City, 43d Floor, Empire State Bldg.
 North Carolina: Greensboro, 210 North Green St.
 North Dakota: Fargo, 507 First National Bank Bldg.
 Ohio: Cincinnati, 523 Walnut St.; Cleveland, 4th Floor, Union Commerce Bldg.
 Oklahoma: Oklahoma City, 215 Colcord Bldg.
 Oregon: Portland, 820 Morgan Bldg.
 Pennsylvania: Philadelphia, Broad St. Station Bldg.; Pittsburgh, 411 Chamber of Commerce Bldg.
 Puerto Rico: San Juan, Post Office Box 4387.
 Rhode Island: Providence, 75 Westminster St.
 South Carolina: Columbia, 2065 Biscorn St.
 South Dakota: Sioux Falls, 515 S. Main St.
 Tennessee: Memphis, 677 Shrine Bldg.
 Texas: Dallas, 511 Mercantile Bank Bldg.; Houston, Electric Bldg., Room 1004; San Antonio, 310 St. Marys St., 203 Transit Tower Bldg.
 Utah: Salt Lake City, 310 Atlas Bldg.
 Vermont: Burlington, 44 Church St.
 Virginia: Richmond, 615 E. Main St.
 Washington: Seattle, 491 Henry Bldg.; Spokane, North 120 Wall St.
 West Virginia: Charleston, 269 State Capitol Bldg., P. O. Box 3027.
 Wisconsin: Milwaukee, 161 West Wisconsin Ave.
 Wyoming: Casper, 116 East 2d St.

SUBPART D—DELEGATIONS OF AUTHORITY

§ 851.20 *VHP-1: District construction managers and assistant managers.* The manager and assistant manager of the District Construction Offices, Division of Non-Residential Construction, Office of Housing Expediter, are hereby authorized to take, in their own names, the following actions in accordance with pertinent instructions, regulations, and procedures:

(a) Authorizations to begin non-residential construction pursuant to Veterans' Housing Program Order 1: Provided, That:

(1) The total cost of structures including fixtures and building service (mechanical) equipment (but excluding the cost of processing equipment) is \$1,000,000 or less.

(2) Any amendments to approved authorizations do not increase such total cost to more than \$1,500,000.

(b) Denials of applications to begin construction of non-residential projects regardless of dollar value.

(c) Grants (but not denials) of appeals from such denials.

§ 851.21 *VHP-1: Officials of Division of Non-Residential Construction.* The Director and Deputy Director of the Division of Non-Residential Construction, the chairman of the Facilities Review Committee, Division of Non-Residential Construction, and the Chief and Assistant Chief of the Project Processing Section, Division of Non-Residential Construction, are hereby authorized to take, in their own names, the following actions in accordance with pertinent instructions, regulations and procedures:

(a) Authorizations to begin non-residential construction pursuant to Veterans' Housing Program Order 1. (This applies to applications beyond the jurisdiction of the Field Offices and to appeals from field denials.)

(b) Denials of applications to begin construction of non-residential projects regardless of dollar value.

(c) Grants or denials of appeals from such denials.

Issued this 31st day of March 1947, to become effective April 1, 1947.

(Secs. 3, 12, Pub. Law 404, 79th Cong., 60 Stat. 238, 244)

FRANK R. CREEDON,

Housing Expediter.

[F. R. Doc. 47-3003; Filed, Mar. 31, 1947; 8:46 a. m.]

[Housing Expediter Appeals Order]

PART 853—RULES OF PRACTICE AND PROCEDURE, INCLUDING FORMS AND INSTRUCTIONS

APPEALS PROCEDURE

PURPOSE

Par. (a) What this section does.

DEFINITIONS

(b) Definitions.

FILING OF APPEALS

(c) Who may file.

(d) Preparation of appeals.

(e) Where to file.

PROCESSING OF APPEALS

(f) Consideration of appeals by the Appeals Board.

(g) Oral hearings.

(h) Records.

DISPOSITION OF APPEALS

(i) Appeals incorrectly made.

(j) Decisions.

MISCELLANEOUS

(k) Reporting requirements approved.

PURPOSE

§ 853.1 *Appeals procedure—(a) What this section does.* This section, the Housing Expediter Appeals Order, explains the procedure for appealing from:

(1) Any regulation or order of the Housing Expediter (except Veterans' Housing Program Order 1 and those regulations and orders which provide for appeals to be addressed elsewhere than to the Housing Expediter or the National Housing Agency), and

(2) Administrative actions of the Housing Expediter, or of persons or offices acting under a delegation from him (except issuance of suspension orders, other compliance actions, denial of applications for construction authorizations, and actions taken upon an appeal).

DEFINITIONS

(b) *Definitions.* For the purpose of this section:

(1) "Regulation" or "order" means a published document which is applicable generally to all persons or to a class of persons described in such document.

(2) "Administrative action" means any action, in connection with a regulation or order, taken with respect to a particular person.

(3) "Appeal" means a request for relief from the provision of a regulation or order or from an administrative action.

(4) "Person" means an individual, corporation, partnership, association, or any other organized group of any of the foregoing, or legal successor or representative of any of the foregoing.

(5) "Appellant" means a person filing an appeal as provided in this section.

(6) "This section" means this Housing Expediter Appeals Order.

FILING OF APPEALS

(c) *Who may file.* Any person affected by a regulation, order, or administrative action of the kind described in paragraph (a) of this section may file an appeal on the ground:

(1) That the regulation, order, or administrative action works an exceptional and unreasonable hardship upon him,

(2) That the regulation, order, or administrative action improperly discriminates against him, or

(3) That administrative action taken under a regulation or order is based on an incorrect interpretation thereof.

Any person filing an appeal may request an oral hearing.

(d) *Preparation of appeals.* Appeals must be in writing. Unless otherwise provided in a regulation or order appealed from, all appeals and accompanying material shall be filed in triplicate. (If the submission of three copies of all accompanying documents or exhibits would place an undue burden on the appellant, waiver of this rule may be requested at the time the appeal is filed.) An appeal must be clearly marked as such and shall be in letter form unless a regulation or order appealed from provides otherwise.

All appeals must state clearly (1) the provision of the regulation or order, or the administrative action, appealed from, (2) the grounds for the appeal, and (3) the relief requested by the appellant. The various grounds for the appeal shall be separately stated and numbered, with

a clear and concise statement of all facts alleged in support of each ground.

If a request for an oral hearing is made, it must be in writing and should be filed with the appeal.

(e) *Where to file.* All appeals shall be addressed to the Housing Expediter, Washington 25, D. C. They shall be marked "Ref: Appeals", except if otherwise provided in the regulation or order in connection with which the appeal is filed.

PROCESSING OF APPEALS

(f) *Consideration of appeals by the Appeals Board.* The Appeals Board of the Office of the Housing Expediter has been established as an impartial body to consider appeals. The Board consists of three members appointed by the Housing Expediter, or their alternates, one of whom acts as Chairman.

(g) *Oral hearings.* If an oral hearing is requested, it will be held at Washington, D. C. A date will be set and notice of the time and place of the hearing will be given the appellant by the Appeals Board at least five days before the date set for the hearing.

Such hearings will be informal, and the appellant need not be represented by counsel unless he so wishes. The Board shall not be bound by the rules of evidence. No oath will be administered to witnesses, but misrepresentations are punishable under the Federal statutes.

(h) *Records.* Complete records concerning each appeal will be kept by the Appeals Board and will be available to inspection by persons properly and directly concerned, unless the records contain confidential business information or are considered confidential for reasons of administrative privacy.

DISPOSITION OF APPEALS

(i) *Appeals incorrectly made.* An appeal not prepared or filed substantially as provided in this section, or in the applicable regulation or order in connection with which the appeal is filed, may be returned to the appellant without action.

(j) *Decisions.* All appeals will be considered and decided within a reasonable time after they are filed. An appeal may be granted or denied, in whole or in part, by the Appeals Board. Before reaching a decision, the Board may provide an opportunity for the appellant to present additional evidence. Determinations by a majority of the Appeals Board shall be final. The determination of an appeal will be communicated to the appellant in writing.

MISCELLANEOUS

(k) *Reporting requirements approved.* The reporting requirements of this section have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(60 Stat. 207; 56 Stat. 177, as amended; E. O. 9836, 12 F. R. 1939)

Issued this 31st day of March 1947.

FRANK R. CREEDON,
Housing Expediter.

[F. R. Doc. 47-3157; Filed, Mar. 31, 1947;
11:21 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Subtitle A—Office of the Secretary

PART 10—PRACTICE OF ATTORNEYS AND AGENTS BEFORE THE TREASURY DEPARTMENT

MISCELLANEOUS AMENDMENTS

1. Paragraph (a) *Committee on Practice of § 10.1 Committee established*, is hereby amended to delete the last sentence.

2. Paragraph (b) of § 10.1 is hereby amended to read as follows:

(b) *Duties of the Committee.* The Committee shall receive and act upon applications to be recognized as attorneys or agents before the Treasury Department; receive and act upon applications for reenrollment from attorneys or agents who have been disbarred; conduct hearings; make inquiries; and perform other duties as prescribed herein.

3. Paragraph (d) of § 10.1 is hereby amended to read as follows:

(d) *Attorney for the Government.* The Secretary of the Treasury shall appoint an attorney not a member of the Committee as Attorney for the Government to prepare and present all formal statements of charges against enrolled attorneys or agents, to supervise the gathering of evidence in support of such charges, including the taking of depositions, to represent the Government in all proceedings before the Committee, to represent the Government in all proceedings pursuant to § 10.7, and to perform other duties incident to his position.

4. Paragraph (b) of § 10.7 is hereby amended to read as follows:

§ 10.7 *Proceedings for disbarment, suspension, and reinstatement.* * * *

(b) *Rules of procedure.* The Attorney for the Government may, either on the basis of such information or upon his own motion where he has cause to believe that any enrolled attorney or agent has violated any provision of the laws or regulations governing practice before the Treasury Department, institute proceedings for suspension or disbarment against any enrolled attorney or agent, hereinafter called the respondent in this paragraph, by filing with the Committee a statement of charges signed by the Attorney for the Government. Subject to the provisions of the Administrative Procedure Act (60 Stat. 237), such proceedings shall be governed by the following rules:

(1) *Opportunity to avoid proceeding.* The Attorney for the Government shall, before a proceeding is instituted, give to the respondent notice in writing that:

(i) Transmits a copy of the proposed statement of charges, or a specification of the substance thereof;

(ii) Cites sections 5 (b) and 9 (b) of the Administrative Procedure Act;

(iii) Calls upon the respondent to show cause why the proceeding should not be instituted;

(iv) Informs the respondent that the notice affords him opportunity to make

submissions and demonstrations of the character contemplated by the cited statutory provisions;

(v) Invites any negotiation that the respondent deems it desirable to enter into; and

(vi) Specifies a reasonable time for response to such notice: *Provided*, That, if prior to institution of the proceeding, the Attorney for the Government determines that the case is one in which such notice would be improper and unnecessary, he shall file his findings and his reasons therefor in the record, and such proceeding may be instituted without first giving notice. [Rule 1]

(2) *Service*—(i) *Service of notice and statement of charges*. Notice of a proceeding for suspension or disbarment, signed by the Secretary or a member of the Committee, shall be served upon the respondent in the following manner:

(a) By delivery to the respondent personally, or

(b) By registered mail, with demand for a return card signed by the respondent: *Provided*, That, if an enrolled attorney or agent shall have signed and filed with the Committee on Practice his written consent to be served in some other manner it shall be sufficient if service is made in that manner. Where the service is by registered mail, the receipt of the return card duly signed shall be satisfactory evidence of service.

The notice shall give the place and time within which the respondent shall file his answer, which time shall be not less than 20 days from the date of service of the notice, and shall contain or be accompanied by a statement of charges, which statement shall be signed by the Attorney for the Government.

(ii) *Service of papers other than notice and statement of charges*. Papers other than the original notice and statement of charges shall be served on the respondent as follows:

(a) By delivering the same to the respondent personally, or by registered mail; or

(b) By leaving them at his office with his clerk or with a person in charge thereof; or

(c) By depositing them in a United States post office or post office box, enclosed in a sealed envelope, plainly addressed to such respondent at the address under which he is enrolled or at his last address known to the Committee.

(d) When the respondent is represented by attorney, by service upon the attorney in the same manner as provided in subdivisions (a), (b) and (c) of this subdivision for service on the respondent. [Rule 2]

(3) *Examiner*. There shall preside at the reception of the evidence an examiner, appointed as provided in the Administrative Procedure Act: *Provided*, however, That until examiners are appointed as provided in said act (but in no case initiated after June 10, 1947), the Committee shall act as examiner, and its action shall be taken by majority vote. [Rule 3]

(4) *Filing of papers*. Whenever under this paragraph the filing of a paper in a proceeding is required or permitted, and the place of filing is not specified either by rule of the examiner in the particular

proceeding or pursuant to this paragraph, the paper shall be filed with the Committee on Practice, Treasury Department, Washington, D. C. [Rule 4]

(5) *Extension of time*. In any case in which the time for filing, pleading, making a submittal, or making an appeal, shall have expired, or shall be about to expire, to the prejudice of a party, the examiner shall have the power in his discretion and upon appropriate application and showing by the party prejudiced, to extend the time, as justice may be deemed to require. [Rule 5]

(6) *Negotiation*. At any time prior to hearing by the examiner, the Attorney for the Government is authorized, in his sound discretion, to negotiate with the respondent for the purposes contemplated by sections 5 (b) and 9 (b) of the Administrative Procedure Act. The parties may at any time during the hearing limit the issues by stipulation. Any stipulations resulting from such negotiation shall be entered in the record. [Rule 6]

(7) *Resignation to avoid disbarment*. If pursuant to negotiation (or otherwise) the respondent resigns to avoid possible institution of disbarment proceedings, or to avoid possible disbarment or suspension in a pending proceeding, the Committee may, upon motion of the Attorney for the Government, accept the resignation. If the Committee overrules the motion it shall enter a formal order which shall recite the findings of fact and conclusions of the Committee and which shall be made of record in the proceeding, if any, against the respondent before the examiner. [Rule 7]

(8) *Statement of charges*. The statement of charges shall give a plain and concise description of the facts which it is claimed constitute grounds for suspension or disbarment, without a detailed description of such facts. A statement of charges which fairly informs the respondent of the charges against him so that he is able to prepare his defense shall be deemed sufficient. Different means by which a purpose may have been accomplished or different intents with which acts may have been committed may be alleged in the statement of charges in a single count in the alternative. [Rule 8]

(9) *Bill of particulars*. If, in order to prepare his defense, the respondent desires additional information as to the time and place of the alleged misconduct, or the means by which it was committed, or any other more specific information concerning the alleged misconduct, he may present a motion in writing to the examiner asking that the statement of charges be made more specific, setting forth in such motion in specific manner in what respect the statement of charges leaves him in doubt and describing the particular language of the statement of charges as to which additional information is needed. If in the opinion of the examiner such information is reasonably necessary to enable the respondent to prepare his defense, the examiner shall direct the Attorney for the Government to furnish the respondent with an

amended statement of charges giving the needed information. [Rule 9]

(10) *Answer*. The respondent's answer shall be filed in writing within the time specified in the original notice unless on application the time is extended pursuant to subparagraph (5) of this paragraph. The answer shall be made under oath before a notary public or other officer authorized to administer oaths and shall be filed in duplicate with the Committee on Practice. [Rule 10]

(11) *Content of answer*. In this answer the respondent should specifically admit or deny every material allegation of fact in the statement of charges. Every allegation in the statement of charges not denied shall be deemed admitted, unless the respondent shall state in his answer that he has no knowledge thereof sufficient to form a belief, which statement shall be considered a denial. In answer to a statement of charges, no enrolled person shall deny a material allegation of fact which he knows to be true, or state in such answer that he is without sufficient information to form a belief when in fact he possesses such information. [Rule 11]

(12) *Affirmative defense*. In his answer the respondent may also state affirmatively special matters of defense, and shall not give in evidence any matters in avoidance or of defense, consistent with the truth of the allegations of the statement of charges, unless in his answer he states such matters specifically. [Rule 12]

(13) *Complaining witness*. The Attorney for the Government may in his discretion furnish a complaining witness with a copy of the answer if in his opinion such action will aid in ascertaining the truth or falsity of the charges. The term "complaining witness" for the purposes of this provision shall include any officer or employee of the Treasury Department or any enrolled attorney or agent who may have reported the alleged misconduct to the Attorney for the Government, or any other person upon whose information the Attorney for the Government has instituted the proceeding. [Rule 13]

(14) *Reply to answer*. If the answer contains affirmative matter in avoidance, consistent with the truth of the material allegations in the statement of charges, a reply by the Attorney for the Government admitting or denying the new matter set forth in the answer shall be filed and served upon the respondent. [Rule 14]

(15) *Supplemental charges*. If it appears that a denial of a material allegation of fact in the statement of charges, or a statement that the respondent has no knowledge sufficient to form a belief, was made in bad faith in the answer; or that the respondent has knowingly introduced false testimony during proceedings against him for suspension or disbarment, the Attorney for the Government may thereupon file supplemental charges, which charges may be tried with the other charges in the case, provided the respondent shall be given due notice thereof and afforded an opportunity for preparing a defense thereto. [Rule 15]

(16) *Sufficiency of the pleadings.* The examiner shall have authority to pass upon the sufficiency of the statement of charges, the answer, and all other pleadings. The parties may be heard upon the sufficiency of any pleadings whenever in the opinion of the Examiner a hearing thereon is necessary or desirable. [Rule 16]

(17) *Immaterial mistakes.* The Examiner shall disregard an immaterial misnomer of a third person, an immaterial mistake in the description of any person, thing, or place or the ownership of any property, a failure to prove immaterial allegations in the description of the respondent's conduct, or any other immaterial mistake in the pleadings. [Rule 17]

(18) *Hearings.* Subject to this paragraph the examiner may determine the time, place, and manner in which hearings shall be conducted; the form in which evidence shall be received; and may adopt rules of procedure and modify the same from time to time as occasion requires for the orderly disposition of suspension, disbarment, and reinstatement cases. Written notice of the time and place of all hearings shall be given the respondent in the manner provided in this paragraph for the service of papers. No hearing shall be held in less than 10 days from the date of service on the respondent of the notice of such hearing, except that the Examiner may postpone or adjourn hearings when necessary or desirable, on notice to the parties. [Rule 18]

(19) *Testimony.* Unless the examiner shall otherwise direct, the testimony of witnesses at all hearings will be taken under oath and stenographically recorded and transcribed. [Rule 19]

(20) *Depositions.* Depositions for use at a hearing may, with the written approval of the examiner, be taken by either the Attorney for the Government or the respondent, or their duly authorized representatives, upon oral or written interrogatories, before any officer duly authorized to administer an oath for general purposes, or an officer of the Internal Revenue Bureau authorized to administer an oath in internal revenue matters, upon not less than 10 days' written notice to the other party. Such notice shall state the names of the witnesses, and the time and place where such depositions are to be taken: *Provided*, That when depositions are taken as aforesaid, if both parties are present or represented at the time and place specified for the taking of the depositions, either party may, after the examination of the witnesses produced under the order of the Examiner, be entitled to produce and examine other witnesses; but in such case one day's notice must be given to the other party or his duly authorized representative there present, unless such notice is waived: *And provided further*, That the parties or their duly authorized representatives may agree in writing upon a time when and place at which depositions are to be taken, without formal notice. When a deposition is taken upon written interrogatories, any cross-examination shall be upon written interrogatories. Copies of such written

interrogatories shall be served with the notice, and copies of any written cross-interrogatories shall be mailed or delivered to the opposing party or his duly authorized representative at least 5 days before the time of taking the depositions. [Rule 20]

(21) *Documents.* Whenever any book, document or paper is introduced as an exhibit in a proceeding, the examiner may authorize, upon such conditions as he may deem proper, the withdrawal of such exhibit upon the request of the Attorney for the Government, or of the respondent or his attorney. [Rule 21]

(22) *Proof; partial.* If the examiner finds that a part of the charges in the statement or charges is not sufficiently proved but that the residue thereof is so proved, he may base his findings on any facts established by the evidence which are grounds for suspension or disbarment and which are substantially charged by the said residue of the statement of charges. [Rule 22]

(23) *Proof; variance.* In the case of a variance between the allegations in the statement of charges and the evidence, the examiner shall have power to base his findings on any facts established by the evidence which are grounds for suspension or disbarment, and to order the amendment of the statement of charges to conform to the evidence: *Provided*, That the respondent has had or is given reasonable opportunity to present his defense to such amended charges, with such postponements of the hearing as may be reasonably necessary to permit the respondent to present such defense. [Rule 23]

(24) *Submittals.* After the reception of evidence has been concluded, the Examiner shall by rule afford the parties a reasonable opportunity to submit proposed findings and conclusions and supporting reasons therefor. In the event that depositions are introduced on behalf of the Government at the hearing or in the event that oral testimony in support of the charges is produced by the Government at the hearing, the Attorney for the Government, as soon as possible after the hearing, shall prepare and file with the examiner proposed findings of fact based upon all the evidence in the case. [Rule 24]

(25) *Exceptions to proposed findings.* Upon receipt of proposed findings and conclusions submitted by a party pursuant to subparagraph (24) of this paragraph, the Examiner shall forward to the other parties in the case or their attorneys a copy thereof together with a copy of the transcript of such oral testimony and depositions as may have been introduced. Such parties shall have not less than 10 days after receipt of such papers in which to submit in writing to the Examiner their exceptions, if any, to such proposed findings and conclusions. Neither such parties nor their attorneys shall have the right to receive any copies of exhibits introduced at the hearing or at the taking of the depositions. Such parties or their attorneys, however, shall have the right to examine all exhibits. Upon receipt of such exceptions, or after the time for filing such exceptions has expired if no such exceptions are filed,

the examiner shall make his findings and conclusions as required by subparagraph (26) of this paragraph. [Rule 25]

(26) *Decision by the examiner.* After the parties rest, the examiner shall make his decision in the case, which decision shall include (i) findings and conclusions, as well as the reasons or basis therefor, upon all the material issues of fact, law, or discretion presented on the record and (ii) a recommended order of suspension or disbarment or his order to dismiss the charges, as the case may require.

In making his findings and conclusions as to the truth of any charges which are duly put in issue by the papers in any case and upon which a hearing is had, the examiner shall be guided by the preponderance of reliable, probative, and substantial evidence. If at any hearing upon issues of fact raised by the papers in the case the respondent fails to put in any evidence, the examiner may base his findings upon the evidence submitted by the attorney for the Government. [Rule 26]

(27) *Effect of initial decision.* If the decision of the examiner does not contemplate the suspension or disbarment of the respondent, such initial decision in the absence of an appeal pursuant to subparagraph (28) of this paragraph shall without further proceedings become the decision of the Secretary of the Treasury. [Rule 27]

(28) *Appeal.* Any party adversely affected or aggrieved, within 30 days after the decision is filed with the Committee, has the right to appeal from such initial decision of the Examiner by filing notice of appeal and to submit exceptions to the decision and supporting reasons therefor, which submittals shall be included in the record of the case. Upon the expiration of said period, the entire record shall be transmitted to the Secretary of the Treasury. [Rule 28]

(29) *Submittals on recommended decision.* If the recommended decision of the Examiner contemplates the suspension or disbarment of the respondent, any party has the right, within 30 days after the decision is filed with the Committee, to submit exceptions to such recommended decision and supporting reasons therefor, which submittals shall be included in the record of the case. Upon the expiration of said period, the entire record shall be transmitted to the Secretary of the Treasury. [Rule 29]

(30) *Decision by Secretary of the Treasury.* The Secretary of the Treasury will make the agency decision in each case in which an appeal has been taken from the initial decision of the Examiner as provided in subparagraph (28) of this paragraph and in each case in which the decision of the Examiner contemplates the suspension or disbarment of the respondent. In making such decision, the Secretary of the Treasury, pursuant to the provisions of the Administrative Procedure Act, will review the whole record or such portions thereof as may be cited by any party to permit limiting of the issues. [Rule 30]

(31) *Notice of decisions.* Each decision (initial, recommended, or agency) shall promptly be filed in the record, and

the Committee shall thereupon give notice thereof to the parties in the manner prescribed for the service of papers. [Rule 31]

(32) *Notice of suspension or disbarment.* Upon issuance of an order of suspension or disbarment of an attorney or agent by the Secretary of the Treasury notice thereof shall be given by the Committee to the heads of all interested bureaus, offices, and divisions of the Treasury Department and to other interested departments and agencies of the Government in such manner as the Committee may determine. Such person will not thereafter be recognized during the period of suspension or disbarment as an attorney or agent in any matter before the Treasury Department. Notice in such manner as the Committee may determine may be given to the proper authorities in the State from which an enrolled attorney, certified public accountant, or public accountant derives his license to practice in the event that such attorney, certified public accountant, or public accountant is suspended or disbarred. [Rule 32.]

(33) *Reopening.* Any attorney or agent who has been suspended or disbarred may make written application to the Committee to have the order of suspension or disbarment vacated or modified upon the ground (i) of newly discovered evidence, or (ii) that important evidence is now available which the applicant was unable to produce at the original hearing by the exercise of due diligence. Every application for reinstatement shall be filed with the Committee in duplicate. Such application must set forth specifically the precise character of the evidence to be relied upon in its support and shall state the reasons why the applicant was unable to produce it when the original charges were heard. If the Examiner after due consideration of the application shall deem it sufficiently meritorious to warrant a hearing, he shall so advise the Committee, who shall set a time and place for such hearing and give due notice thereof to the applicant. Upon the conclusion of the hearing the Committee shall transmit the recommended decision of the Examiner to the Secretary of the Treasury for his approval or disapproval.

In the event that the Secretary shall issue an order vacating or modifying the prior order of suspension or disbarment, notice thereof shall be given by the Committee to all those to whom notice of the original order of suspension or disbarment was sent.

In all cases not covered by the foregoing provisions, a disbarred attorney or agent who desires to be restored to the roll must file a new application for enrollment and otherwise comply with the requirements of § 10.3. [Rule 33]

(34) *Saving provision.* The regulations governing suspension, disbarment and reinstatement that were in force and effect March 31, 1947, are referred to in this subparagraph as the old rules. This paragraph as amended effective April 1, 1947, is referred to in this subparagraph as the new rules. The old rules shall continue to govern any proceeding that was instituted prior to March 31, 1947:

Provided, however, That if in the course of the proceeding there is taken any action that is authorized by the old rules but that is not authorized by the new rules, said action shall not constitute grounds for disturbing any order thereafter made in the proceeding: (i) Unless it is shown that the action was in derogation of substantive rights, and not merely procedural rights; and (ii) unless upon occurrence of the action the respondent made timely objection supported by his reasons, and the objection was overruled: Provided further, That adherence may be had to the new rules pursuant to stipulation of the parties. [Rule 34]

5. Paragraphs (c), (d), and (e) of § 10.7 are hereby revoked.

6. These amendments shall take effect on April 1, 1947.

(Sec. 3, 23 Stat. 258, secs. 3, 12, Pub. Law 404, 79th Cong., 60 Stat. 238, 244; 5 U. S. C. 261)

[SEAL] E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 47-3033; Filed, Mar. 31, 1947;
8:47 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[Amdt. 422]

PART 605—GENERAL ADMINISTRATION

INFORMATION NOT CONFIDENTIAL TO CERTAIN PERSONS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend § 605.32 to read as follows:

§ 605.32 *Information not confidential as to certain persons.* No information in a registrant's file shall be confidential as to the persons designated in this section, and any information may be disclosed or furnished to or examined by such persons, namely:

(a) The registrant, or any person having written authority from the registrant.

(b) All personnel of the Selective Service System while engaged in the administration of the Selective Training and Service Act of 1940, as amended.

(c) United States Attorneys and their duly authorized representatives, including agents of the Federal Bureau of Investigation.

(d) Personnel of the Counter Intelligence Corps, United States Army, but only when proper identification and credentials are presented.

(e) Any other agency, official, or employee, or class or group of officials or employees, of the United States or any State or subdivision thereof, but only when and to the extent specifically authorized in writing by the State Director of Selective Service or the Director of Selective Service. (54 Stat. 885 as amended; 50 U. S. C. and Sup. 310)

The foregoing amendment to the Selective Service Regulations shall be effective within the continental United

States immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HEESHEY,
Director.

MARCH 18, 1947.

[F. R. Doc. 47-3055; Filed, Mar. 31, 1947;
8:50 a. m.]

[Amdt. 420]

PART 621—QUESTIONNAIRE AND OTHER INFORMATION TO BE USED IN CLASSIFYING REGISTRANTS

MAILING QUESTIONNAIRES

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (a) of § 621.1 to read as follows:

§ 621.1 *Mailing questionnaires.* (a) Except as provided in paragraphs (d), (e), (f), and (g) of this section, the local board shall mail a Selective Service Questionnaire (Form 40) to each registrant in strict accordance with the order numbers, from the smallest to the largest. Selective Service Questionnaires (Form 40) shall be mailed as rapidly as possible consistent with the ability of the local board to give them prompt consideration upon their return.

2. Strike out paragraph (f) of § 621.1 and insert in its place the following:

(f) A Selective Service Questionnaire (Form 40) will not be mailed to a registrant when the local board has been advised by the State Director that it has been determined that calls for men will not be placed upon the local board of registration.

3. Add a new paragraph (g) to § 621.1 to read as follows:

(g) The local board will mail a Selective Service Questionnaire (Form 40) to a registrant as soon as he reaches the nineteenth anniversary of the date of his birth, unless no calls are being placed upon his local board as provided in paragraph (f) of this section.

(54 Stat. 885 as amended; 50 U. S. C. and Sup. 310)

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HEESHEY,
Director.

SEPTEMBER 27, 1946.

[F. R. Doc. 47-3053; Filed, Mar. 31, 1947;
8:49 a. m.]

[Amdt. 421]

PART 622—CLASSIFICATION

CLASSIFICATION OF REGISTRANTS

Pursuant to authority contained in the Selective Training and Service Act of

1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

Amend the regulations by changing the title and amending paragraph (1) of § 622.43 to read as follows:

§ 622.43 *Class IV-C: Registrants not acceptable for training and service because of nationality except as volunteers, neutral aliens requesting relief from training and service, aliens not acceptable to the armed forces or to the Director of Selective Service, and aliens who have departed and are not residing in the United States.* In Class IV-C shall be placed any registrant: * * *

(1) Who is an alien and who has not volunteered for induction into the land or naval forces and, because of his nationality, is within a class of persons not acceptable to the land or naval forces unless they volunteer for service. The Director of Selective Service will advise local boards which classes of registrants are not acceptable to the land or naval forces unless they volunteer for service.

(54 Stat. 885 as amended; 50 U. S. C. and Sup. 310)

The foregoing amendment to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 18, 1947.

[F. R. Doc. 47-3054; Filed, Mar. 31, 1947;
8:49 a. m.]

[Amtd. 423]

PART 642—DELINQUENTS

REPORT OF DELINQUENT

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, Selective Service Regulations, Second Edition, are hereby amended in the following respect:

1. Amend paragraph (a) of § 642.41 to read as follows:

§ 642.41 *Report of delinquent to United States Attorney.* (a) Every registrant who has heretofore or who hereafter fails to comply with an Order to Report for Induction (DSS Form 150) or an Order to Report for Work of National Importance (DSS Form 50) shall be reported promptly to the United States Attorney on Delinquent Registrant Report (DSS Form 550); *Provided*, That if the local board believes that by reasonable effort it may be able to locate the registrant and secure his compliance, it may delay the mailing of such Delinquent Registrant Report (DSS Form 550) for a period not in excess of 30 days; *Provided further*, That if the registrant has injected the element of religion into his classification such Delinquent Registrant Report (DSS Form 550) shall not be mailed to the United States Attorney until the file of the registrant has been reviewed as provided by paragraph (d) of this section. A copy of such Delinquent Registrant Report

(DSS Form 550) shall be placed in the delinquent's Cover Sheet (DSS Form 53).

2. Add a new paragraph (d) to § 642.41 to read as follows:

(d) Whenever a delinquent registrant has injected the element of religion into his classification, claiming to be a minister of religion, a student preparing for the ministry, or one who is conscientiously opposed to participation in war, he shall not be reported to the United States Attorney on Delinquent Registrant Report (DSS Form 550) until his file has been reviewed by the State Director of Selective Service and by the Director of Selective Service. In any such case the local board shall forward the Delinquent Registrant Report (DSS Form 550) together with the file of the registrant to the State Director of Selective Service, who shall review the file and transmit it to the Director of Selective Service with his comment and recommendation. The Director of Selective Service shall review the file, take such action as he deems necessary, and return the file to the local board. When the registrant's delinquency still exists after the taking of any action indicated by the Director of Selective Service the local board shall mail the Delinquent Registrant Report (DSS Form 550) to the United States Attorney. If the registrant again becomes delinquent after the completion of any further procedure in his processing and classification as was indicated to be necessary by the Director of Selective Service, the local board shall then prepare and mail a Delinquent Registrant Report (DSS Form 550) to the United States Attorney without again referring the file of the registrant to the State Director of Selective Service or to the Director of Selective Service.

(54 Stat. 885 as amended; 50 U. S. C. 2nd Sup. 310)

The foregoing amendments to the Selective Service Regulations shall be effective within the continental United States immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 7, 1947.

[F. R. Doc. 47-3056; Filed, Mar. 31, 1947;
8:50 a. m.]

[State Director Advice 349, Issued 3/26/47]

PART 672—STATE DIRECTOR ADVICES

FINAL OFFICIAL MEETING OF LOCAL BOARDS UNDER SELECTIVE TRAINING AND SERVICE ACT OF 1940, AS AMENDED

Pursuant to the provisions of the Administrative Procedures Act, the following directive issued under authority of the Selective Training and Service Act of 1940, as amended, is hereby made a matter of record: (Confirming telegram to All State Directors dated March 26, 1947).

§ 672.349 *Final official meeting of local boards under Selective Training and Service Act of 1940, as amended.* On or

before March 31, 1947, each local board will hold a final official meeting under the Selective Training and Service Act of 1940, as amended, and use Form 110 as prescribed in the form manual to report such meeting. Form 110 for this final report (a) will bear the notation, "This is the last official meeting of this board under the Selective Training and Service Act of 1940, as amended. All actions under such law which are the subject of Form 110 reporting are herein or have heretofore been reported on this form," and (b) will be signed by the local board chairman. The authorization under the regulations to correct erroneous classifications and issue Form 57 showing corrected classifications will continue until termination of the act. Local boards will arrange cover sheets in order number sequence. Advise all local boards accordingly.

(54 Stat. 885 as amended; 50 U. S. C. App. Sup. 310)

LEWIS B. HERSHEY,
Director.

MARCH 28, 1947.

[F. R. Doc. 47-3112; Filed, Mar. 31, 1947;
10:56 a. m.]

Chapter IX—Office of Temporary Controls, Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, Pub. Laws 388 and 475, 79th Cong.; E. O. 9024, 7 F. R. 329; E. O. 9040, 7 F. R. 527; E. O. 9125, 7 F. R. 2719; E. O. 9599, 10 F. R. 10155; E. O. 9638, 10 F. R. 12591; C. P. A. Reg. 1, Nov. 5, 1945, 10 F. R. 13714; Housing Expediter's Priorities Order 1, Aug. 27, 1946, 11 F. R. 9507; E. O. 9809, Dec. 12, 1946, 11 F. R. 14281; OTC Reg. 1, 11 F. R. 14311.

PART 903—ORGANIZATION AND DELEGATIONS OF AUTHORITY

[Directives 42 and 44, Revocation]

The following directives are revoked effective simultaneously with the effectiveness of Executive Order 9836 (12 F. R. 1939) on April 1, 1947:

§ 903.155, Directive 42—Veterans' Emergency Housing Program

§ 903.15, Directive 44—Delegation of Authority to the Housing Expediter with Respect to Surplus Property

These directives are being revoked because corresponding authorities for the Housing Expediter are being delegated by the above-mentioned Executive order.

This revocation does not affect the validity of actions taken under the directives or any liabilities incurred for violations of rules, orders, regulations or other actions issued pursuant to the directives.

Issued this 31st day of March 1947.

CIVILIAN PRODUCTION
ADMINISTRATION,

By W. J. KERLIN,
Director, Bureau of Priorities.

[F. R. Doc. 47-3151; Filed, Mar. 31, 1947;
11:20 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

BLANKET REVOCATION OF CERTAIN CPA ORDERS, DIRECTIONS AND OTHER DOCUMENTS

The orders and directions of the Civilian Production Administration listed in the attached List A are revoked, effective at the end of the last day of March 1947.

(a) *Effect of revocation.* (1) All unpublished directions, authorizations, and other instruments addressed to named persons, pursuant to each of the orders or directions in List A, are also revoked, effective at the end of March 1947.

(2) Nothing in this revocation changes the rule regarding "suspension orders" and "consent orders" as stated in paragraph (c) of § 944.10a of Priorities Regulation 1.

(3) The revocation of the orders and directions in List A does not affect any liabilities incurred for violations of them, or for violation of actions taken by the War Production Board or Civilian Production Administration under them.

(4) Any pending or future applications filed pursuant to the orders or directions in List A will not be acted upon by the Civilian Production Administration after the end of March, and individual notice of this may not be given to each applicant.

(5) It is not necessary to file any reports under the orders and directions in List A which would be due after the effective date of revocation, unless otherwise required.

(6) If a direction to an order or to a regulation is in List A, but the order or regulation itself is not listed, this revocation applies only to the direction, and the order or regulation itself is not affected in any way by revocation of the direction. If an order or regulation is listed, that order or regulation and all published amendments, schedules, appendices and directions to it are also revoked, except any specifically excepted in List A.

Issued this 31st day of March 1947.

CIVILIAN PRODUCTION
ADMINISTRATION,

By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

Part or Section No.	Document
944-----	Direction 13 ² to Priorities Regulation 1.
944-----	Direction 14 ³ to Priorities Regulation 1.
944-----	Direction 14 to Priorities Regulation 3.
944-----	¹ Directions 3, 4, 23, 25 ⁴ and 26 to Priorities Regulation 13.
944.35-----	Priorities Regulation 14.

¹By another document in Part 944, Priorities Regulations 13, 28 and 32 of the Civilian Production Administration are revoked, effective April 1, 1947. Provisions in place of those contained in these regulations but related only to the Veterans' Emergency Housing Program are contained in regulations of the Housing Expediter.

²Expired September 30, 1946.

³Expired July 31, 1946.

⁴Expired March 17, 1947.

LIST A—Continued

Part or Section No.	Document
944-----	¹ Directions 18 and 20 to Priorities Regulation 23.
944-----	² Directions 1, 3, 5, 6, 10 and 11 to Priorities Regulation 32.
944-----	Direction 14 to Priorities Regulation 33.
1046.1-----	Limitation Order: L-63.
3292.136----	Limitation Order: L-352.
1029.40----	Limitation Order: L-350.
3294.71----	General Preference Order: M-21 and all Directions to M-21 except Direction 10.
3208.1-----	General Scheduling Order: M-293.
3293.1121---	Schedule 121 to M-300.
3290.118----	Conservation Order: M-328.

[F. R. Doc. 47-3148; Filed, Mar. 31, 1947; 11:20 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 13, 23, and 32, Revocation]

(a) The following regulations are revoked, effective on April 1, 1947, simultaneously with the effectiveness of the Housing Expediter regulations mentioned in paragraph (b) below:

§ 944.34 *Priorities Regulation 13—Special sales.*

§ 944.49 *Priorities Regulation 28—Restricted priorities assistance.*

§ 944.53 *Priorities Regulation 32—Inventories.*

(b) Beginning April 1, 1947, provisions in place of those contained in the above regulations but related only to the Veterans' Emergency Housing Program will be contained in regulations of the Housing Expediter. Provisions for "special sales" will be in Schedule A to Priorities Regulation 33 (as transferred to, and amended by, the Housing Expediter). Provisions for filing applications for restricted priorities assistance will be in a new Priorities Regulation 28 to be issued by the Housing Expediter. Provisions for inventories will be in a new Priorities Regulation 32 to be issued by the Housing Expediter.

(c) This revocation does not affect the validity of any Priorities Regulation 28 authorizations which, under the terms of Priorities Regulation 35 (as transferred to the Housing Expediter), remain effective after March 31, 1947.

(d) Pending Form CPA-541A applications for priorities assistance under Priorities Regulation 23 in connection with the Veterans' Emergency Housing Program will be processed by the Housing Expediter. (Other pending applications will be processed by the Civilian Production Administration.) This revocation does not require refiling by persons who have such applications pending.

(e) This revocation has no effect on any direction, supplement, or table to the regulations revoked. Separate provision is being made for them. Supplement I to PR 28, Table I to PR 28, Direction 6 to PR 28, and Direction 25 to

PR 28 are being transferred to the Housing Expediter, under § 946.1, at the same time as this revocation. All other directions, supplements, and tables to the regulations revoked are being revoked by blanket revocation under § 944.57.

Issued this 31st day of March 1947.

CIVILIAN PRODUCTION
ADMINISTRATOR,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 47-3149; Filed, Mar. 31, 1947; 11:20 a. m.]

PART 946—TRANSFER OF REGULATIONS AND ORDERS

TRANSFER OF REGULATIONS AND ORDERS TO THE HOUSING EXPEDITER

§ 946.1 *Transfer of regulations and orders to the Housing Expediter.* By Executive Order 9836 issued March 22, 1947, effective April 1, 1947, the President has transferred to the Housing Expediter all the functions of the Temporary Controls Administrator and the Office of Temporary Controls with respect to the Veterans' Emergency Housing Program which have previously been administered by the Civilian Production Administration in the Office of Temporary Controls. By the same Executive order, the President has delegated to the Housing Expediter, to the extent necessary for the proper exercise of the functions which were transferred, the powers and authority vested in the President by Title III of the Second War Powers Act of 1942, as amended.

In order to carry out this Executive Order, the regulations and orders of the Office of Temporary Controls (Civilian Production Administration) listed below, together with all official interpretations of them, are transferred to the Housing Expediter, effective April 1, 1947. The Housing Expediter is issuing an order (Housing Expediter Priorities Order 5), effective simultaneously with this order, adopting, ratifying, and confirming these regulations and orders and continuing them in full force and effect until amended or revoked by the Housing Expediter.

These regulations and orders will no longer be administered, amended or interpreted by the Office of Temporary Controls (Civilian Production Administration) after this regulation takes effect. For the purposes of the Office of Temporary Controls (Civilian Production Administration), these regulations and orders will have no further effect thereafter. All communications with respect to these regulations and orders, all applications for authorization under them, all requests for appeals from them and all requests for interpretations of them should be made to the Office of the Housing Expediter or as otherwise authorized by him.

The regulations and orders transferred to the Housing Expediter are:

Section No.	Regulation or Order	Date issued or amended	Federal Register citation
944.1-20.....	Priorities Regulation 1.....	Mar. 4, 1947	12 F. R. 1481.
944.....	Direction 1.....	Jan. 29, 1947	12 F. R. 661.
944.....	Direction 2.....	June 18, 1944	9 F. R. 6623.
944.....	Direction 11.....	Sept. 18, 1945	10 F. R. 11887.
944.23.....	Priorities Regulation 3.....	Mar. 4, 1947	12 F. R. 1487.
944.....	Direction 7.....	Oct. 1, 1945	10 F. R. 12382.
944.....	Direction 15.....	Apr. 22, 1946	11 F. R. 1446.
944.....	Direction 16.....	Sept. 6, 1946	11 F. R. 9327.
944.25.....	Priorities Regulation 5.....	Aug. 23, 1943	8 F. R. 11660.
944.27.....	Priorities Regulation 7.....	Dec. 31, 1946	12 F. R. 7.
944.28.....	Priorities Regulation 7A.....	Oct. 8, 1945	10 F. R. 12630.
944.29.....	Priorities Regulation 8.....	Nov. 16, 1945	10 F. R. 14183.
944.43.....	Priorities Regulation 22.....	Jan. 8, 1946	11 F. R. 393.
944.....	Supplement 1 to PR-28 (§ 944.49)	Mar. 4, 1947	12 F. R. 1493.
944.....	Table I to PR-28.....	do.....	12 F. R. 1492.
944.....	Direction 6 to PR-28.....	Jan. 23, 1947	12 F. R. 484.
944.....	Direction 25 to PR-28.....	Mar. 12, 1947	12 F. R. 1723.
944.....	Priorities Regulation 33.....	Feb. 28, 1947	12 F. R. 1438.
944.54.....	Schedule A.....	Mar. 3, 1947	12 F. R. 1459.
944.54a.....	Schedule B.....	do.....	12 F. R. 1461.
944.54b.....	Direction 5.....	Aug. 28, 1946	11 F. R. 9557.
944.....	Direction 8.....	Dec. 31, 1946	12 F. R. 17.
944.....	Direction 11.....	Jan. 17, 1947	12 F. R. 386.
944.....	Direction 13.....	Jan. 23, 1947	12 F. R. 493.
944.56.....	Priorities Regulation 35.....	Mar. 4, 1947	12 F. R. 1490.
4700.1.....	Veterans' Housing Program Order 1.....	Mar. 20, 1947	12 F. R. 1885.
4700.....	Direction 1.....	June 21, 1946	11 F. R. 6978.
4700.....	Direction 2.....	Mar. 6, 1947	12 F. R. 1547.
4700.....	Direction 3.....	Feb. 11, 1947	12 F. R. 975.
4700.2.....	Supplement 1.....	Mar. 20, 1947	12 F. R. 1888.
4700.3.....	Supplement 2.....	July 2, 1946	11 F. R. 7912.
4700.4.....	Supplement 3.....	Mar. 20, 1947	12 F. R. 1889.
4700.5.....	Supplement 4.....	Oct. 7, 1946	11 F. R. 11563.
4700.6.....	Supplement 5.....	Feb. 13, 1947	12 F. R. 1057.
4700.16.....	Veterans' Housing Program Order 3.....	Aug. 28, 1946	11 F. R. 9558.
4700.17.....	Veterans' Housing Program Order 4.....	Sept. 23, 1946	11 F. R. 10701.
4700.18.....	Veterans' Housing Program Order 5.....	Feb. 28, 1947	12 F. R. 1442.
3288.91.....	Limitation Order: L-357.....	Dec. 10, 1946	11 F. R. 14244.

All suspension orders, consent orders and stop-construction orders issued by the Office of Temporary Controls (Civilian Production Administration) as a result of violation of any of the regulations or orders listed above are also transferred to the Housing Expediter.

This order shall become effective April 1, 1947.

Issued this 31st day of March 1947.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 47-3150; Filed, Mar. 31, 1947;
11:20 a. m.]

Chapter XXII—Retraining and Reemployment Administration

[Order No. 9a]

FEDERAL INTERAGENCY COMMITTEE ON EMPLOYMENT OF THE PHYSICALLY HANDICAPPED

Paragraph 2 of RRA Order No. 9, issued July 3, 1946 (11 F. R. 7426), is hereby amended to read as follows:

2. *Organization of the committee.* Under authority of Title III, section 302 of the War Mobilization and Reconversion Act of 1944 (Public Law 458, 78th Congress) a committee to be known as The Federal Interagency Committee on Employment of the Physically Handicapped is hereby established. This committee shall consist of a Chairman who shall be the Administrator, Retraining and Reemployment Administration, a Vice-Chairman who shall have full authority to act as Chairman in all matters pertaining to the functions and purposes of this Committee in the absence or disability of the Chairman, and a Secretary, both of the latter to be designated by the

Administrator of the Retraining and Reemployment Administration, and of representatives from each of the following agencies of the Federal Government:

Department of Labor.
Department of Agriculture.
Federal Security Agency.
Department of Commerce.
Civil Service Commission.

(Title III, sec. 302, 58 Stat. 789; 50 U. S. C. App. Sup. 1662)

G. B. ERSKINE,
Major General, U. S. M. C.,
Administrator.

MARCH 26, 1947.

[F. R. Doc. 47-3026; Filed, Mar. 31, 1947;
8:47 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 10—INSURANCE

MISCELLANEOUS AMENDMENTS

The following amendments are made to Part 10:

§ 10.3156 *Assignment of armed forces leave bonds for insurance purposes.* No change in (a), (b), (c), (d), (e), (f) or (g).

A new paragraph (h) is added, as follows:

(h) The assignment may be made by the veteran's agent when acting under a special power of attorney or letter of authority containing definite and specific instructions regarding the use of the proceeds of the bond. If the veteran is incompetent the assignment may be made by his legal guardian or if there be no legal guardian and such veteran is hospitalized or receiving domiciliary care at a field station of the Veterans Adminis-

tration or a State hospital or other institution, the assignment may be made by the manager of the field station or head of the State hospital or institution, as would be appropriate in the particular case, provided there are no funds available for payment of the premiums. The manager of the field station or head of a State hospital or other institution may make such assignment only for the purpose of paying premiums on the existing insurance. The guardian may make the assignment for the purpose of paying premiums on the existing insurance, repaying a loan with interest on such insurance, and, if authorized to do so by the court, when converting to a permanent plan. (60 Stat. 963)

§ 10.3400 *Applications by persons in active service.* (a) Persons in the active service in the land or naval forces of the United States on October 8, 1940, and persons entering such service after that date (including those selected for training and service in the land or naval forces of the United States under the Selective Training and Service Act of 1940) under orders to active duty for a period of not less than thirty-one days, upon written application by any such person and payment of premiums while in such active service, shall be granted National Service Life Insurance, on one or more of the following plans, in an amount of not more than \$10,000 or less than \$1,000 in multiples of \$500, in accordance with subparagraphs (1) and (2) of this paragraph: Five-year level premium term, ordinary life, twenty-payment life, thirty-payment life, twenty-year endowment, endowment at age sixty, and endowment at age sixty-five: *Provided*, That no policy may be issued for less than \$1,000. Such insurance must become effective while the applicant is in active service and in accordance with the provisions of § 10.3402 (a). No person may carry at any one time a combined amount of insurance in excess of \$10,000 under the War Risk Insurance Act, as amended, the World War Veterans' Act, 1924, as amended, and the National Service Life Insurance Act of 1940, as amended. Application for National Service Life Insurance should be made on forms prescribed by the Administrator, but any statement in writing which in substance meets the requirements of this regulation shall be considered as an application provided that the first monthly premium is paid, advanced or authorized to be deducted or allotted from pay at time of such application.

No change in (1) or (2).

(b) Applications for insurance under section 602 (c) (2) of the National Service Life Insurance Act, as amended August 1, 1946. Persons who were in the active service between October 8, 1940, and September 2, 1945, both dates inclusive, may be granted National Service Life Insurance on one or more of the plans specified in paragraph (a) of this section, in an amount of not more than \$10,000 nor less than \$1,000, in multiples of \$500, upon compliance with the conditions stated below: *Provided*, That no policy may be issued for less than \$1,000.

(1) Written application therefor by any such person.

(2) Payment of the first monthly premium.

(3) Proof, satisfactory to the Administrator, that the applicant is in good health.

(4) The amount of insurance here granted plus the amount of any other insurance (National Service Life—United States Government Life—War Risk) in force under premium-paying conditions or as extended insurance, shall not exceed \$10,000.

(5) No person who has surrendered his National Service Life Insurance for a cash value or for paid-up insurance shall be entitled to apply for insurance under this paragraph to the extent of the amount of insurance so surrendered.

Service in the Philippine Commonwealth Army during the period stated above shall not be considered active service for the purpose of granting new insurance under section 602 (c) (2) of the act, as amended.

Where application is made prior to January 1, 1950, the application will not be denied on the ground that the applicant is not in good health by reason of any disability, less than total in degree, resulting from or aggravated by active service between October 8, 1940, and September 2, 1945.

An application for insurance hereunder should be made on the form prescribed therefor, but any written statement which in substance meets the requirements of this paragraph may be considered an application.

(Secs. 601-618, 54 Stat. 1008-1014, 60 Stat. 781, Pub. Law 5, 80th Cong.; 38 U. S. C. 801-818)

§ 10.3423 *Health requirements.* National Service Life Insurance on any plan may be reinstated if application and tender of premiums are made:

(a) On or before August 1, 1947, or within three months after lapse, whichever is later, provided the applicant be in as good health on the date of application and tender of premiums as he was on the due date of the premium in default and furnished evidence thereof satisfactory to the Administrator.

(b) Subsequent to August 1, 1947, and after expiration of the three-month period mentioned in paragraph (a) of this section provided applicant is in good health (see § 10.3401) on the date of application and tender of premiums, and furnishes evidence thereof satisfactory to the Administrator of Veterans' Affairs.

(Secs. 601-618, 54 Stat. 1008-1014, 60 Stat. 781, Pub. Law 5, 80th Cong.; 38 U. S. C. 801-818)

§ 10.3426 *Dividends.* A National Service Life Insurance policy shall participate in and receive such dividends from gains and savings as may be determined by the Administrator of Veterans' Affairs. Dividends will be paid in cash except that at the request of the insured they may be left to accumulate on deposit provided the policy is in force on a basis other than extended term insurance or level premium term insurance. Interest

on dividend accumulations will be credited annually at such rate as the Administrator of Veterans' Affairs may determine. Dividend accumulations shall not be available for the payment of insurance premiums, but will be used in addition to the reserve on the policy for the purpose of computing the period of extended term insurance or the amount of paid-up insurance as provided in §§ 10.3429 and 10.3430, respectively. Any dividend accumulations not previously withdrawn will be payable at the maturity of the policy to the person entitled to its proceeds.

(Secs. 601-618, 54 Stat. 1008-1014; 38 U. S. C. 801-818)

§ 10.3428 *Policy loan; other than five-year level premium term policy.*

(a) At any time after the expiration of the first policy year and before default in payment of any subsequent premium, and upon the execution of a loan agreement satisfactory to the Administrator, the United States will lend to the insured on the security of his National Service Life Insurance policy, on any plan other than five-year level premium term, any amount which will not exceed 94 percent of the reserve, and any indebtedness on the policy shall be deducted from the amount advanced on such loan. Except as prescribed in paragraph (b) of this section the loan shall bear interest at the rate of 5 per centum per annum, payable annually; and at any time before default in the payment of the premium, the loan may be repaid in full or in amounts of \$5 or any multiple thereof. Failure to pay either the amount of the loan or the interest thereon shall not avoid the policy unless the total indebtedness shall equal or exceed the cash value thereof. When the amount of the indebtedness equals or exceeds the cash value the policy shall cease and become void.

No change in (b).

(Secs. 601-618, 54 Stat. 1008-1014; 38 U. S. C. 801-818)

§ 10.3433 *Exchange of a five-year level premium term policy as of a current effective date.* National Service Life Insurance on the level premium term plan which is in force may be exchanged, effective as of the date any premium becomes due within the term period, for insurance of the same amount on any other plan issued by the Veterans Administration under the National Service Life Insurance Act, 1940, as amended, upon payment by the insured (except where premium waiver is effective) of the current monthly premium at the attained age of the insured for the plan of insurance selected. The reserve (if any) on the policy will be allowed as a credit on the current monthly premium except where premium waiver is effective: *Provided*, That conversion to an endowment plan may not be made while the insured is totally disabled. The exchange will be made without medical examination except when deemed necessary to determine whether an applicant for exchange to an endowment plan is totally disabled, and upon complete surrender of the policy while in force by

payment or waiver of premiums. Except as provided in § 10.3434, conversion of the term policy must be effected within the five-year term period, and if not exchanged or converted prior to the expiration of such period all protection thereunder shall cease.

§ 10.3434 *Exchange of a level premium term policy, as of a date prior to the current month.* National Service Life Insurance on the level premium term plan which is in force may be exchanged effective as of the date any premium has become due within the term period, for insurance of the same amount on any other plan issued by the Veterans Administration under the National Service Life Insurance Act, 1940, as amended, upon payment by the insured of the difference between the reserve on the new policy and the reserve on the old policy and payment by the insured (except where premium waiver is effective) of the current monthly premium at the attained age of the insured as of the effective date of the new policy: *Provided*, That conversion to an endowment plan may not be made while the insured is totally disabled. The exchange will be made without medical examination except when deemed necessary to determine whether an applicant for exchange to an endowment plan is totally disabled, and upon complete surrender of the policy while in force by payment or waiver of premiums: *Provided* waiver of the premiums on the new policy shall not be effective prior to the date such policy change was made. Except as provided in § 10.3434, conversion of the term policy must be effected within the five-year term period, and if not exchanged or converted prior to the expiration of such period all protection thereunder shall cease.

§ 10.3437 *Automatic conversion at the expiration of term period.* If the insured is shown by evidence satisfactory to the Administrator to have been continuously totally disabled commencing prior to and extending beyond the expiration of the level premium term period of his insurance and under conditions which, but for such expiration, would entitle him to continued insurance protection under the provision for waiver of premiums in §§ 10.3440, 10.3441 and 10.3442, or for maturity of insurance by death during total disability of less than six months duration in § 10.3481, such term insurance shall be automatically converted to insurance on the ordinary life plan, effective at the expiration of the term period, unless the insured theretofore elected insurance on some other available plan. (Secs. 601-618, 54 Stat. 1008-1014, Pub. Law 5, 80th Cong.; 34 U. S. C. 801-810)

§ 10.3484 *Five-year level premium term insurance as extended by Public Law 118, 79th Congress.* National Service Life Insurance on the five-year level premium term plan issued on or before December 31, 1945, and not exchanged or converted to another plan may be continued for an additional three-year period dating from the expiration of the original five-year term, and the premiums the insured is required to pay for

term insurance during such additional period shall be the same as were required during the original five-year term; insurance will be deemed to have been issued on or before December 31, 1945, if such insurance was applied for and made effective on or before that date: *Provided*, That such term insurance may be exchanged or converted effective as of the date any premium becomes or has become due during the five-year term period as extended by Public Law 118, 79th Congress, but in all other respects conversion will be effected in accordance with the requirements of §§ 10.3433, 10.3434 or 10.3437, whichever may be applicable: *Provided further*, That any such term insurance which has lapsed or may hereafter lapse may be reinstated at any time prior to the expiration of the five-year term period as extended, but in all other respects reinstatement will be effected in accordance with the requirements of §§ 10.3422, 10.3423 and 10.3424: *And provided further*, That if any such policy be not exchanged or converted to a permanent plan prior to the expiration of the five-year term period as extended, all protection thereunder shall cease. (59 Stat. 315)

§ 10.3498 *Total disability income provision for National Service Life Insurance authorized by the National Service Life Insurance Act of 1940, as amended August 1, 1946.* No change in first through seventh paragraphs, inclusive.

Paragraph eight:

This provision shall terminate and be of no further force and effect if any premium on the policy or on this provision be not paid when due or within the grace period of thirty-one days thereafter. If a premium be not paid as stipulated then this provision shall cease and terminate, but may be reinstated upon evidence of good health satisfactory to the Administrator of Veterans' Affairs, and upon payment of the premiums as stated below. In event the applicant for reinstatement while not totally disabled and prior to January 1, 1950, furnishes proof satisfactory to the Administrator that his inability to furnish proof of good health is the result of an actually service-incurred injury or disability, the requirement of proof of good health shall be waived.

(Reference to amendment of "eleventh paragraph," § 10.3498, 12 F. R. 15, should read "ninth paragraph.")

Paragraph nine:

This provision, if attached to term insurance, may be reinstated upon evidence satisfactory to the Administrator showing the applicant to be in as good health as he was on the due date of the premium in default provided application and two monthly premiums are submitted on or before August 1, 1947, or within three months after the due date of the premium in default, whichever is later; if it be attached to insurance on any other plan reinstatement may be effected on the basis of comparative health provided application and all premiums in arrears with interest are submitted on or before August 1, 1947, or within three months after the due date of the premium in default, whichever is later.

No change in remainder of section.

(Secs. 601-618, 54 Stat. 1008-1014, Pub. Law 5, 80th Cong.; 34 U. S. C. 801-810)

§ 10.3504 *Assignment of armed forces leave bonds for insurance purposes.* No change in (a), (b), (c), (d), (e), (f) or (g).

A new paragraph (h) is added, as follows:

(h) The assignment may be made by the veteran's agent when acting under a special power of attorney or letter of authority containing definite and specific instructions regarding the use of the proceeds of the bond. If the veteran is incompetent the assignment may be made by his legal guardian or if there be no legal guardian and such veteran is hospitalized or receiving domiciliary care at a field station of the Veterans' Administration, or a State hospital or other institution, the assignment may be made by the manager of the field station or head of the State hospital or institution, as would be appropriate in the particular case, provided there are no other funds available for payment of the premiums. The manager of the field station or head of a State hospital or other institution may make such assignment only for the purpose of paying premiums on the existing insurance. The guardian may make the assignment for the purpose of paying premiums on the existing insurance, repaying a loan with interest on such insurance, and, if authorized to do so by the court, when converting to a permanent plan. (60 Stat. 963)

[SEAL]

OMAR N. BRADLEY,
General, U. S. Army,
Administrator of Veterans' Affairs.

MARCH 31, 1947.

[F. R. Doc. 47-2887; Filed, Mar. 31, 1947:
8:46 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

[Circ. 1643]

PART 194—POTASSIUM PERMITS AND LEASES

MISCELLANEOUS AMENDMENTS

1. Section 194.6 is amended as follows:

a. The following sentence is added to footnote 1: "Title 18 U. S. C. section 80 makes it a crime for any person knowingly or wilfully to submit or cause to be submitted to any agency of the United States any false or fraudulent statement as to any matter within its jurisdiction."

b. The words "under oath" are deleted from the first sentence.

c. Paragraph (b) is amended to read:

(b) Proof of citizenship of applicant by stating in the case of an individual, whether native-born or naturalized, and, if naturalized, date of naturalization, court in which naturalized and number of the certificate, if known; if a woman, whether single or married, and if married, date of marriage and citizenship of the husband; if a corporation, by filing a

certified copy of its articles of incorporation and showing, to the extent reasonably ascertainable, the name, residence, citizenship of and amount of stock held by each stockholder, including the name of the country to which each alien stockholder owes allegiance.

d. Paragraphs (f) and (g) are deleted.

e. The following paragraphs are added:

(f) Applicant's consent to be bound by the lease acreage limitation prescribed in § 194.26, and his agreement that he will not exercise his preference right to a lease for any land embraced in any potassium prospecting permit which, together with leases or interests in leases already held by him would exceed 15,360 acres.

An application executed by an attorney-in-fact must be accompanied by the power of attorney and the applicant's own statement as to his citizenship and acreage holdings. Applications on behalf of a corporation must be accompanied by proof of the signing officer's authority to execute the instrument and must have the corporate seal affixed thereto.

2. Section 194.7 is amended by adding the following in the first sentence after the citation to the Act of February 7, 1927: "to the extent that he has not waived his preference right pursuant to § 194.6 (f)."

3. Section 194.11 is amended by deleting from the third sentence of the second paragraph the words: "an affidavit" and substituting therefor the words: "a statement."

4. Section 194.17 is amended by deleting from the first sentence the words: "must be under oath and"; and by adding the following at the end of the section: "An application executed by an attorney-in-fact must be accompanied by the power of attorney and the applicant's own statement as to his citizenship and acreage holdings. Applications on behalf of a corporation must be accompanied by proof of the signing officer's authority to execute the instrument and must have the corporate seal affixed thereto."

5. Section 194.24 is amended by deleting from the last two sentences of section 2 (c) of the lease form therein contained, the word "affidavit" and substituting in each instance the word "statement"; and by deleting from section 3 (d) of the lease form the word "one-fourth" and substituting therefor the word "one-tenth."

6. Section 194.26 is amended to read as follows:

§ 194.26 *Limitation on holdings.* Section 5 of the act of February 7, 1927 (44 Stat. 1057, 30 U. S. C. 285), provides that the general provisions of the act of February 25, 1920, shall be applicable. The Secretary is given authority to prescribe necessary and proper rules and regulations, and in view of the provisions of amended section 27 of the latter act as to holding of permits and leases of the minerals enumerated therein, no person, association, or corporation will be granted, either directly, or indirectly, or by approval of assignments, (a) per-

mits for an area, which when added to the area already held under permits issued under the 1927 act, exceeds in the aggregate 25,600 acres, nor (b) leases for an area, which when added to the area already held under leases issued under the 1927 act, exceeds in the aggregate 15,360 acres.

7. Section 194.27 is amended by deleting the word "affidavit" from the last two sentences and substituting in each instance the word "statement."

(Sec. 32, 41 Stat. 450, sec. 5, 45 Stat. 1058; 30 U. S. C. 189, 285)

OSCAR L. CHAPMAN,
Acting Secretary of the Interior.

MARCH 24, 1947.

[F. R. Doc. 47-3002; Filed, Mar. 31, 1947;
8:46 a. m.]

TITLE 46—SHIPPING

Chapter II—United States Maritime Commission

Subchapter E—War Contracts

[Rev. G. O. 57, Supp. 3]

PART 298—SETTLEMENT OF CLAIMS ARISING UNDER TERMINATED WAR CONTRACTS

APPEAL FROM FINDINGS

Effective upon publication of this Supplement in the FEDERAL REGISTER, the regulations with respect to the termination of work under contracts for the convenience or at the option of the Commission, the settlement of claims arising therefrom, and the disposition of property, Revised General Order 57, March 6, 1945, as amended by Supplement 1, September 6, 1945, and Supplement 2, October 25, 1945,¹ are amended by striking out § 298.162 *Appeal from findings*.

(58 Stat. 649; 41 U. S. C. Sup., 101 et seq.)

By order of the United States Maritime Commission.

[SEAL] A. J. WILLIAMS,
Secretary.

MARCH 25, 1947.

[F. R. Doc. 47-3031; Filed, Mar. 31, 1947;
8:46 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 1—ORGANIZATION, PRACTICE AND PROCEDURE

DELEGATION OF AUTHORITY TO CHIEF ENGINEER

MARCH 21, 1947.

At a meeting of the Federal Communications Commission held at its offices in Washington, D. C., on the 20th day of March 1947;

It appearing, that the public interest, convenience and necessity will be served by delegating authority to the Chief Engineer, or his nominee, to act upon applications or requests from FM conditional

grantees and permittees for special temporary authority to provide an interim FM broadcast service;

It further appearing, that general notice of proposed rule making is not required herein under the provisions of section 4 of the Administrative Procedure Act; and

It is ordered, That § 1.121 (11 F. R. 177A-405) of the Commission's rules and regulations be, and it is hereby amended to add paragraph (r) which reads as follows:

§ Authority delegated to Chief Engineer. . . .

(r) For special temporary authority to provide an interim FM broadcast service provided such requests are from FM conditional grantees or holders of FM construction permits.

It is further ordered, That this order shall take effect immediately.

(Sec. 4 (i), 48 Stat. 1068, sec. 5 (e), 48 Stat. 1068; 47 U. S. C. 154 (i), 155 (e))

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3058; Filed, Mar. 31, 1947;
8:47 a. m.]

[Order No. 110-F]

PART 3—RADIO BROADCAST SERVICES

TERMINATION OF LICENSES FOR INTERNATIONAL BROADCAST STATIONS

MARCH 21, 1947.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 20th day on March 1947.

The Commission having under consideration Order No. 110-E (12 F. R. 182) adopted December 26, 1946, providing for the extension of the licenses of international broadcast stations:

It is hereby ordered, That the license term for every international broadcast station presently licensed shall end at the earlier of the following dates: (a) June 30, 1947, or (b) the first day on which its operations are not controlled, by agreement or otherwise, by the State Department, Office of International Information and Cultural Affairs, or other governmental agency supervising the operation of international broadcasting; *Provided*, That this shall be without prejudice to the consideration of any application filed for operation otherwise, in the light of provisions of the "Departments of State, Justice, Commerce, and the Judiciary Appropriation Act, 1947" (Pub. Law 490, 79th Cong.) appropriating funds for use by the Department of State in connection with the operation of an information program outside the continental United States.¹

¹ The provisions referred to provide in part that "funds herein appropriated shall not be used to purchase more than 75 percentum of the effective daily broadcasting time from any person or corporation holding an international short wave broadcasting license from the Federal Communications Commission without the consent of such licensee. . . ."

It is further ordered, That the portion of § 3.718 (11 F. R. 10300) of the Commission's rules and regulations which establishes for international broadcast stations a normal license term of one year is hereby suspended until further order of the Commission.

(Secs. 4 (i), 303 (b), (c), (e), 325 (a) (c) 48 Stat. 1066, 1082, 1091; 47 U. S. C. 154 (i), 303 (b) (c) (e), 325 (a) (c))

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3059; Filed, Mar. 31, 1947;
8:49 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 87, Amdt. 8]

PART 95—CAR SERVICE

SUSPENSION OF DEMURRAGE RULES ON COAL

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of March A. D. 1947.

Upon further consideration of the provisions of Service Order No. 87 (7 F. R. 8066), as amended (7 F. R. 8438; 11 F. R. 4737, 8451, 12726, 14650; 12 F. R. 259), and good cause appearing therefor: *It is ordered, That:*

Service Order No. 87, as amended, be, and it is hereby further amended by substituting the following paragraph (c) for paragraph (c) thereof:

§ 95.500 *Suspension of demurrage rules; Trunk Line Tariff Bureau Tariff No. 139-C I. C. C. No. A-751 coal. * * **

(c) This section, as amended, shall expire at 7:00 a. m., August 1, 1947, unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, This amendment shall become effective at 7:00 a. m., March 31, 1947, and it shall vacate and supersede Amendment No. 7 to Service Order No. 87 on the effective date hereof; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 47-3063; Filed, Mar. 31, 1947;
8:47 a. m.]

[S. O. 696, Amdt. 1]

PART 95—CAR SERVICE

PRIORITY FOR EXPORT MAINE POTATOES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 26th day of March A. D. 1947.

Upon further consideration of Service Order No. 696 (12 F. R. 1752), and good cause appearing therefor: it is ordered, that:

Section 95.696 *Permit for export Maine potatoes*, of Service Order No. 696, be, and it is hereby, amended by substituting the following paragraph (a) for paragraph (a) thereof:

§ 95.696 *Priority for export Maine potatoes*—(a) *Priority to be accorded.* All common carriers by railroad subject to the Interstate Commerce Act, serving points located in the State of Maine, shall give preference and priority over all other traffic to supplying or placing not to exceed one hundred fifty (150) refrigerator cars each working day for loading potatoes consigned to the United States Army, Portland or Searsport, Maine, providing the shipper or consignor obtains a certificate in writing from the agent appointed herein, and further providing the shipper or consignor certifies in writing on the car order that such refrigerator car is intended for the transportation of potatoes pursuant to this section.

It is further ordered, that this amendment shall become effective at 12:01 p. m., March 26, 1947; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C.,

RULES AND REGULATIONS

and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U. S. C. 1 (10)–(17))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 47-3009; Filed, Mar. 31, 1947;
8:47 a. m.]

Chapter II—Office of Defense Transportation

PART 500—CONSERVATION OF RAIL EQUIPMENT

SHIPMENTS OF NEW IMMATURE IRISH POTATOES OF VARIETY KNOWN AS BLISS TRIUMPH

CROSS REFERENCE: For an exception to the provisions of § 500.72 see Part 520 of this chapter, *infra*.

[Gen. Permit ODT 18A, Rev. 29, Amdt. 1]

PART 520—CONSERVATION OF RAIL EQUIPMENT; EXCEPTIONS, PERMITS AND SPECIAL DIRECTIONS

SHIPMENTS OF NEW IMMATURE IRISH POTATOES OF VARIETY KNOWN AS BLISS TRIUMPH

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Order 8989, as amended, Executive Order 9729, and General Order ODT 18A, Revised, as amended, *It is hereby ordered*, That: General Permit ODT 18A, Revised-29 (§ 520.529) (12 F. R. 401), shall remain in force and effect until 11:59 p. m. June 30, 1947, notwithstanding any provision therein inconsistent herewith.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, Pub. Law 475,

79th Cong., 60 Stat. 345; 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8989, Dec. 18, 1941, 6 F. R. 6725, E. O. 9389, Oct. 18, 1943, 8 F. R. 14183; E. O. 9729, May 23, 1946, 11 F. R. 5641)

Issued at Washington, D. C., this 28th day of March 1947.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 47-3057; Filed, Mar. 31, 1947;
8:50 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter C—National Wildlife Refuges; Individual Regulations

PART 29—PLAINS REGION NATIONAL WILDLIFE REFUGES

ARROWWOOD NATIONAL WILDLIFE REFUGE, NORTH DAKOTA; FISHING REGULATION

1. Paragraph (a) of § 29.28 (50 CFR 29.28) is revised to read as follows:

§ 29.28 *Arrowwood National Wildlife Refuge, North Dakota; fishing* * * *

(a) *Waters open to fishing.* The waters of Arrowwood Lake, designated by suitable posting by the officer in charge of the refuge in the SE¼ of Section 7, the SW¼ of Section 8, and Section 30, T. 144 N., R. 64 W., and Section 25, T. 144 N., R. 65 W., fifth principal Meridian, shall be open to fishing.

(Sec. 84, 43 Stat. 98, sec. 10, 45 Stat. 1224, sec. 401, 49 Stat. 383; 18 U. S. C. 145, 16 U. S. C. 715l, 715s; Reorg. Plans Nos. II, III, 3 CFR, Cum. Supp.)

Dated: March 20, 1947.

[SEAL]

O. H. JOHNSON,
Acting Director.

[F. R. Doc. 47-3003; Filed, Mar. 31, 1947;
8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF INTERIOR

Office of Indian Affairs

[25 CFR, Part 130]

NAVAJO INDIAN IRRIGATION PROJECT

OPERATION AND MAINTENANCE CHARGES

Pursuant to section 4 (a) of the Administrative Procedure Act approved June 11, 1946 (Pub. Law 404, 79th Cong., 60 Stat. 238), authority of the acts of Congress approved August 1, 1914 and March 7, 1928 (38 Stat. 583; 45 Stat. 210; 25 U. S. C. 385, 387), and by virtue of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs September 14, 1946 (11 F. R. 10297), this notice is published of intention (1) to repeal §§ 130.44 to 130.46 inclusive; (2) to transfer the prescribed annual rate of assessments for the Fruitland Unit of the Navajo Indian Irrigation project from § 130.105 to § 130.41; and (3) to amend §§ 130.41 to 130.43 inclusive, to read as follows:

§ 130.41 *Charges.* Pursuant to the acts of August 1, 1914 and March 7, 1928 (38 Stat. 583, 45 Stat. 210; 25 U. S. C. 385, 387), a part of the reimbursable cost of operating and maintaining the Navajo irrigation project is apportioned on a per-acre basis against the irrigable lands of the respective units for the calendar year 1947 and for each succeeding calendar year until further order, in the amounts designated below for each unit, and there is assessed against each acre of irrigable land to which water can be delivered through the constructed works of the respective unit.

Navajo project	Agency	Per acre per annum
Fruitland unit.....	Navajo.....	\$1.00
Ganado unit.....	do.....	1.00
Hogback unit.....	do.....	1.00
Many Farms unit.....	do.....	1.00
Lower Rock Point unit.....	do.....	.60

For domestic water delivered through the project canal and lateral system to permittees on the reservation lands, \$5.00 for each cistern.

For tribal lands operated by the Shiprock High School, \$3.00 per acre.

§ 130.42 *Payment.* The annual charges fixed in § 130.41 shall become due on April 1 of each year; are payable on or before that date, and any charges that remain unpaid after the due date shall stand as a first lien against the land until paid.

The delivery of water shall be refused to all tracts of land for which the charges have not been paid when due, except in instances where the lands are in Indian assignment, and the Indian assignee shall have made the necessary arrangements with the Superintendent as hereafter provided. When any Indian assignee of land is financially unable to pay the operation and maintenance charges on the due date from cash on hand, arrangements may be made by prior agreement with the Superintendent.

ent whereby the Indian will perform labor on the project works and pay from the proceeds received from such work at least an amount equal to \$1.00 per acre per annum; or the Superintendent may make the necessary arrangements for such Indian assignee to pay the operation and maintenance charges from the proceeds of the crops grown on the land when harvested and marketed within that calendar year, provided written statements to that effect are furnished by the Indian assignee on or before the due date.

In any instance where the Superintendent is convinced that an Indian assignee, is financially unable to pay his operation and maintenance charges from proceeds of labor performed on the project works, or from the proceeds of the crops being grown on the land, or from any other source, the delivery of

water may be continued if a written certificate is issued by the Superintendent stating that such Indian is not able to pay his charges and copies thereof forwarded to the District Office Director for approval or rejection. In such cases the unpaid charges shall be entered on the accounts and will stand as a first lien against the land until paid but without penalty for delinquency.

§ 130.43 *Water users responsible for water after delivery.* It is the duty of the Indian irrigation service to furnish available water for beneficial irrigation use only. It is the duty of all water users of the project to aid in the prevention of the waste of water and of damage to adjacent lands. The water users are responsible for the water after it has been delivered to their lands, and are required to have their field ditches

of proper capacity and in suitable condition for the use of economical heads of water.

The proposed changes are to be effective for the calendar year 1947 and until further notice.

Interested persons are hereby given opportunity to participate in preparing the proposed amendments by submitting their views and data or argument in writing to William Zeh, District Director, U. S. Indian Service, 4100 Rhoads Circle, Phoenix, Arizona, within 30 days from the date of the publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

WILLIAM ZIMMERMAN, Jr.,
Commissioner.

[F. R. Doc. 47-3030; Filed, Mar. 31, 1947;
8:47 a. m.]

NOTICES

TREASURY DEPARTMENT

United States Coast Guard

[CGFR 47-13]

APPROVAL OF EQUIPMENT

By virtue of the authority vested in me by R. S. 4405, 4417a, 4426, 4481, 4483, and 4491, as amended, 49 Stat. 1544, 54 Stat. 163-167, sec. 5 (e), 55 Stat. 244 (46 U. S. C. 367, 375, 391a, 404, 474, 481, 489, 526-526t, 50 U. S. C. 1275), and section 101, Reorganization Plan No. 3 of 1946 (11 F. R. 7875), the following approvals of equipment are prescribed, effective upon the date of publication of this document in the FEDERAL REGISTER:

BUOYANT CUSHIONS FOR MOTORBOATS

Approval No. A-329, standard kapok buoyant cushion, for use on motorboats of Classes A, 1, and 2 not carrying passengers for hire, manufactured by J. P. McNally Co., 22 Commercial Wharf (North), Boston, Mass.

Approval No. A-330, standard kapok buoyant cushion, for use on motorboats of Classes A, 1, and 2 not carrying passengers for hire, manufactured by Merit Manufacturing Corp., 225-27 Powell St., Brooklyn 12, N. Y.

Approval No. A-331, standard kapok buoyant cushion, for use on motorboats of Classes A, 1, and 2 not carrying passengers for hire, manufactured by Armond's, 3709-11 Winchester Ave., Atlantic City, N. J.

Approval No. A-332, standard kapok buoyant cushion, for use on motorboats of Classes A, 1, and 2 not carrying passengers for hire, manufactured by Colonial Mercantile & Mfg. Co., 1715 Mansfield Road, Toledo 12, Ohio.

LIFEBOAT

16' x 5' x 2.1' Steel oar-propelled lifeboat, 10-person capacity, for service other than Ocean and Coastwise, general arrangement and construction Dwg. No. 1614, dated December 5, 1946, submitted

by the Lane Lifeboat and Davit Corp., Flushing, N. Y.

Dated: March 25, 1947.

[SEAL] MERLIN O'NEILL,
Rear Admiral, U. S. C. G.,
Acting Commandant.

[F. R. Doc. 47-3007; Filed, Mar. 31, 1947;
8:47 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[P. & S. Docket No. 1211]

ST. PAUL UNION STOCK YARDS CO.

NOTICE OF PETITION FOR MODIFICATION

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), the Secretary of Agriculture on September 7, 1940, issued an order prescribing reasonable rates and charges for stockyard services rendered by the respondent. Upon petition for modification filed by respondent, this order has been modified from time to time.

By petition filed on March 25, 1947, the respondent has requested certain increases in its rates and charges, as follows:

Yardage	Present rates (per head)	Proposed rates (per head)
Cattle:		
Rail and truck.....	25	30
Direct.....	27 1/2	33
Resale—Commission division.....	25	30
Calves (500 pounds or under):		
Rail and truck.....	25	33
Direct.....	18	19
Resale—Commission division.....	25	33
Hogs:		
Rail and truck.....	17	20
Direct.....	8 1/2	10
Resale—Commission division.....	17 1/2	20
Sheep:		
Rail and truck.....	11	13
Direct.....	5 1/2	6 1/2
Resale—Commission division.....	11	13
Horses and mules:		
Rail and truck.....	25	30

The proposed increases, if granted, are calculated to result in additional gross revenue to respondent and, therefore, public notice should be given of the filing of such petition in order that all interested persons may have an opportunity to be heard in the matter.

Now, therefore, notice is hereby given to the public and to all interested persons of the filing of such petition for modification.

All interested persons who desire to be heard upon the matter requested in said petition for modification shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., within 15 days from the date of the publication of this notice.

Copies hereof shall be served upon the respondent by registered mail or in person.

Done at Washington, D. C., this 26th day of March 1947.

[SEAL]

H. E. REED,
Director,
Livestock Branch.

[F. R. Doc. 47-3017; Filed, Mar. 31, 1947;
8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

TELEPHONE RECORDING DEVICES

NOTICE OF ENGINEERING CONFERENCE

MARCH 24, 1947.

In accordance with the final report adopted on March 24, 1947, by the Federal Communications Commission in its proceeding "In the Matter of Use of Recording Devices in Connection with Telephone Service" (Docket No. 6787), notice is hereby given that a public engineering conference will be held at the Commission's offices in Washington, D. C., beginning on April 21, 1947, at 10 a. m. The purpose of this conference will be to consider specific engineering questions presented by the conclusions of the Commission in its report regarding the use

and operation of telephone recording devices in connection with interstate and foreign message toll telephone service. As outlined in the report these questions include the following matters:

1. How the physically connected type of recorder should be connected to the telephone line.

2. What safeguards, if any, are required to prevent use of the inductive type of recorder from impairing the telephone circuit.

3. The development of an adequate automatic tone warning signal, which is sufficiently audible to be heard distinctly but which will not unduly interrupt the telephone conversation, which will be uniform in sound throughout the United States, and which will recur at proper intervals.

4. How the automatic tone warning device should be installed and maintained.

On the basis of such findings and recommendations as result from this conference, the Commission will give consideration to the adoption of engineering standards to govern the installation, use, and operation of telephone recorders and automatic tone warning devices in connection with interstate and foreign message toll telephone service.

All telephone companies and manufacturers of telephone recording devices are requested to send qualified representatives to this engineering conference and the State telephone regulatory Commissions and all other interested persons are invited to participate.

All interested parties should advise the Commission in writing no later than April 14, 1947, of their intention to participate in this conference.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3060; Filed, Mar. 31, 1947;
8:50 a. m.]

[Docket No. 8230]

CHARGES FOR COMMUNICATIONS SERVICE BETWEEN THE UNITED STATES AND OVER- SEAS FOR FOREIGN POINTS¹

ORDER INSTITUTING INVESTIGATION

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 12th day of March 1947;

The Commission, having under consideration earnings reports from the carriers subject to its jurisdiction which are engaged in the furnishing of telegraph communications services between the United States and overseas and foreign points, and it appearing therefrom that the net earnings of the carriers have declined, and that certain carriers may be operating at a loss;

It is ordered, Pursuant to sections 201, 202, 205 and 403 of the Communications Act of 1934, as amended, that an investigation is instituted into the earnings,

¹ With respect to intervention in this proceeding, see § 1.722 of the Commission's rules and regulations.

and the rates and charges, divisions of charges with other carriers, and the related practices, classifications, regulations, and services, of all carriers subject to the Communications Act of 1934, as amended, for or in connection with communications services between the United States and overseas and foreign points;

It is further ordered, That the following carriers are made parties respondent in this proceeding: RCA Communications, Inc., Mackay Radio and Telegraph Company, Inc., The Commercial Cable Company, All America Cables and Radio, Inc., The Cuban All America Cables, Inc., The Western Union Telegraph Company, Mexican Telegraph Company, Tropical Radio Telegraph Company, Press Wireless, Inc., United States-Liberia Radio Corporation, South Porto Rico Sugar Company, Globe Wireless, Ltd., Cable and Wireless (W. I.), Ltd., and The French Telegraph Cable Company;

It is further ordered, That, without in any way limiting the scope of the investigation herein, it shall include inquiry into the following matters:

(1) The gross and net earnings of each of the respondent carriers from communications services furnished by them between the United States and overseas and foreign points, including the current level of these earnings, the trends thereof, and the factors presently affecting such earnings; and what regulatory action, if any, is called for;

(2) The lawfulness under sections 201 and 202 of the Communications Act of the present charges of the respondent carriers for and in connection with all classes of communications service between the United States and overseas and foreign points, including each and every class of telegraph service in the commercial, government, and press classifications; facsimile and photo services; program transmission and reception services; and scheduled transmission and reception services; and whether the Commission should determine and prescribe any different charges for such services than those which are now in effect;

(3) The operating expenses which each of the respondent carriers claims should be deducted from gross operating revenues in order to arrive at net operating income to be considered in a determination of charges to the users for the communications services furnished by the carriers between the United States and overseas and foreign points, the trends of such expenses, and the reasonableness of such expenses;

(4) The effect on the earnings of the respondent carriers of their present arrangements for divisions with other carriers, United States and foreign, of charges for and in connection with communications service between the United States and overseas and foreign points;

(5) The amount of gross and net book cost of plant and equipment, and the amount of working capital requirement, of each of the respondent carriers claimed to be devoted to the rendition of communications service between the United States and overseas and foreign points;

(6) The amount of return which is fair and reasonable for each of the respondent carriers; whether it is necessary, or appropriate, under the Communications Act that charges for communications services between the United States and overseas and foreign points should be determined or prescribed on the basis of the revenue requirements of the carrier or carriers having the highest level of net earnings from such service, or on some other basis; and the consideration that should be given in this connection to the relative needs of the cable carriers as compared with those of the radio carriers;

(7) The volume and classes of traffic handled by each of the respondent carriers; the relationship between such traffic volumes and the cost of handling the traffic; and whether, and to what extent, each of the respondent carriers can profitably handle any additional traffic;

(8) The extent to which duplication of service to the same overseas and foreign points by the respondent carriers may be unjustified, uneconomic, and not in the public interest; the effects of such duplication on the earnings of respondent carriers; and what measures, if any, should be undertaken to eliminate such duplication;

It is further ordered, That hearings be held in this proceeding in the offices of the Commission at Washington, D. C., to begin at 10 a. m. on the 14th day of April 1947;

It is further ordered, That the Commission's Telegraph Committee, composed of Commissioners Ray C. Wakefield, Paul A. Walker and C. J. Durr or one or more members thereof, are authorized to preside at the hearings, and otherwise to conduct the proceedings herein.

Notice is hereby given, that § 1.857 of the Commission's rules and regulations is inapplicable to this proceeding.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3061; Filed, Mar. 31, 1947;
8:51 a. m.]

[Docket No. 8230]

CHARGES FOR COMMUNICATIONS SERVICE BETWEEN THE UNITED STATES AND OVER- SEAS AND FOREIGN POINTS

ERRATUM TO ORDER INSTITUTING INVESTIGATION

In the order of March 12, 1947, in the above proceeding, the parties named as respondents in the second ordering paragraph should have included Commercial Pacific Cable Co.

Dated: March 18, 1947.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3062; Filed, Mar. 31, 1947;
8:51 a. m.]

[Docket Nos. 7371, 8255]

CAPITAL BROADCASTING CO. AND JOHN F. KRAMER

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of the Capital Broadcasting Company, Annapolis, Maryland, Docket No. 7371, File No. BP-4318; John F. Kramer, Cambridge, Maryland, Docket No. 8255, File No. BP-5946; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 20th day of March 1947;

The Commission having under consideration the above-entitled application of John F. Kramer requesting a construction permit for a new standard broadcast station to operate on 1430 kc, with 1 kw power, daytime only, at Cambridge, Maryland;

It appearing, that the Commission on December 19, 1946, designated for hearing the application of The Capital Broadcasting Company (File No. BP-4318; Docket No. 7371) requesting a construction permit for a new standard broadcast station to operate on 1430 kc, with 500 w power, unlimited time, employing a directional antenna at night, at Annapolis, Maryland;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application of John F. Kramer be, and it is hereby, designated for hearing with the application of The Capital Broadcasting Company (File No. BP-4318, Docket No. 7371), at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending application of The Capital Broadcasting Company (File No. BP-4318; Docket No. 7371), or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed sta-

tion would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the Commission's order, dated December 19, 1946, designating the above-entitled application of The Capital Broadcasting Company for hearing, be and it is hereby, amended to include the above-entitled application of John F. Kramer, and to include among the issues for hearing, Issue No. 7, stated above.

Notice is hereby given that § 1.857 of the Commission's rules and regulations is not applicable to this proceeding.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3065; Filed, Mar. 31, 1947; 8:51 a. m.]

[Docket No. 6051]

NON-GOVERNMENT FIXED AND MOBILE SERVICES IN THE BAND 152-162 MC

FREQUENCY SERVICE-ALLOCATIONS

MARCH 21, 1947.

The frequency service-allocations set forth herein have been adopted by the Commission and affect the frequencies available to the following services, proposed services or classes of stations:

Developmental broadcast.
Experimental.
Fire.
Fixed.
Forestry-conservation.
Geophysical.
Maritime mobile.
Motion picture.
Police.
Power utility, petroleum, etc.
Provisional.
Railroad.
Relay press.
Remote pickup (relay) broadcast.
Rural subscriber telephone.
Short distance toll telephone.
Urban mobile.

Based upon the estimated future needs of each service and the data presented at the hearings and oral argument on frequency service-allocations held in 1944-45, the Commission determined the number of channels to be allocated to each service in this band. The Commission's findings were published in its report of May 25, 1945. Since then the Commission has proposed specific assignable frequencies for these services and, on February 3, 1947, heard oral argument on its proposal set forth in public notice 93709 (October 1, 1946) and revised in public notice 2255 (January 10, 1947). Those who submitted briefs or statements and those personally represented at the oral argument were as follows:

American Broadcasting Company, Inc.
American Taxicab Association.
American Telephone and Telegraph Company.
American Transit Association.

Association of American Railroads.
Association of Police Communications Officers, Inc.
Boston Police Department.
Chicago Park District.
Columbia Broadcasting System, Inc.
Committee 2, Panel 13, Radio Technical Planning Board.
Committee 4, Panel 13, Radio Technical Planning Board.
Eastern States Police Radio League, Inc.
Forestry Conservation Communications Association.
Galvin Manufacturing Corporation.
General Telephone Corporation.
International Association of Chiefs of Police.
International Association of Fire Chiefs.
Lorain County Radio Corporation.
Machay Radio and Telegraph Company, Inc.
Massachusetts Chiefs of Police Association.
Mutual Broadcasting System, Inc.
National Broadcasting Company, Inc.
National Bus Communications, Inc.
National Federation of American Shipping.
Police Committee, Panel 13, Radio Technical Planning Board.
Radiomarine Corporation of America.
Raytheon Manufacturing Company.
RCA Communications, Inc.
Western Union Telegraph Company.

While much data and testimony were presented regarding the importance of the various services and their lack of adequate spectrum space, only one concrete objection to the Commission's proposal of October 1, 1946, as amended January 10, 1947, was presented. The four major networks, in a joint brief, in addition to their request for additional channels, objected to the sharing of the same channels by remote pickup (relay) broadcast and relay press stations. This is a matter of continuing study by the Commission and may be decided at a later date after the scope of service of the relay press stations has been determined.

In consideration of the testimony presented at the oral argument of February 3, 1947, the Commission has made certain changes in its proposal of October 1, 1946. These changes are embodied in the attached frequency service-allocation plan and affect the following services:

1. Maritime mobile.
2. Provisional, experimental.
3. Power, petroleum, etc.
4. Railroads.
5. Short-distance toll telephone.

The existing congestion in the 2000 kc portion of the spectrum on radiotelephone frequencies available to the maritime mobile service indicates the desirability of using VHF for short-range communications wherever possible. VHF may provide a variety of important uses, such as:

1. Calling, safety, and distress.
2. General inter-ship communications.
3. Ship-shore-ship operational communications.
4. Harbor traffic control communications.
5. Ship-shore common carrier public correspondence.

It appears that the communication needs tabulated above may be met for the most part through the simplex method of operation. However, provision has been made for some duplex operation and consideration will be given to an expansion of this method of opera-

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tion wherever it is shown to be necessary. The frequency 156.81 Mc has been recommended by the United States for universal standardization to be available exclusively for intercommunication in the maritime mobile service.

Additional facilities for maritime mobile service uses may be provided by:

1. General (urban) mobile radio service.
2. Maritime mobile service frequencies in the 30-44 Mc band.
3. General (highway) mobile radio service in the 30-44 Mc band.
4. The possible assignment of additional frequencies in the 152-162 Mc band to be used in the maritime mobile service on a shared basis with other services; with appropriate geographical separation.

This is believed to provide the greatest possible utility of the available maritime mobile service frequencies for safety and operation purposes, without preventing duplex operation, where required, and the expansion of the maritime mobile service where it is feasible. The number of channels available to the provisional and experimental services has been reduced from four to three to provide this total of nine channels for the maritime mobile service. In addition, the block of five channels for the power, petroleum, etc., services has been shifted upward but remains intact. Similarly, the sixty railroad frequencies have been consolidated into one block. In the case of short-distance toll telephone stations, there has been added a provision limiting operation to those stations currently authorized, and providing the authorization of new short-distance toll telephone stations in this band only where an adequate showing of need can be made.

Since equipment in this band is immediately available, all applicants for new municipal police and municipal fire radio systems will be required to operate on frequencies in the 152-162 Mc band except in those instances where the applicant furnishes a satisfactory factual showing of need for some other frequency in order to provide adequate radio communication facilities. An applicant requesting replacement of an entire or major part of an existing municipal police or municipal fire system will also be required to adhere to the frequency utilization policy set forth herein.

The Commission's "Report of Allocations from 25,000 kilocycles to 30,000,000 kilocycles" dated May 25, 1945, stated: "Services now operating between 156 and 162 Mc may continue temporarily on a non-interfering basis in the band 152-162 Mc".

This provision, which applies only to those stations in the fixed service operating between 156 and 162 Mc prior to May 25, 1945, is continued on a temporary basis, for the use of frequencies coincident with channel center frequencies assigned by this plan, until equipment is available to permit transfer to the frequencies regularly allocated to those services. Such temporary operation may be authorized on the condition that no interference be caused to stations regularly assigned for operation in the 152-162 Mc band.

LIST OF ASSIGNMENTS BY FREQUENCY

(Adopted March 20, 1947)

Frequency assignments (Mc)	Service
152.03, 152.09, 152.15, 152.21, 151.27, 152.33, 152.39, 152.45, 152.51, 152.57, 152.63, 152.69.	Urban mobile. ¹ Rural subscriber telephone. Short-distance toll telephone. ⁴ Relay press. Remote pickup (relay) broadcast. Geophysical. Forestry-conservation. Motion picture.
152.75, 152.81	Remote pickup (relay) broadcast. Geophysical. Forestry-conservation. Motion picture.
152.87, 152.93, 152.99, 153.05, 153.11, 153.17, 153.23, 153.29, 153.35, 153.41	Remote pickup (relay) broadcast. Geophysical. Forestry-conservation. Motion picture. Relay press.
153.47, 153.53	Remote pickup (relay) broadcast. Geophysical. Forestry-conservation. Motion picture.
153.59, 153.65, 153.71	Power. Petroleum, etc. ² Fire.
153.77, 153.83, 153.89, 153.95, 154.01, 154.07, 154.13, 154.19, 154.25, 154.31, 154.37, 154.43. 154.49, 154.57	Provisional. Experimental. Police.
154.65, 154.71, 154.77, 154.83, 154.89, 154.95, 155.01, 155.07, 155.13, 155.19, 155.25, 155.31, 155.37, 155.43, 155.49, 155.55, 155.61, 155.67, 155.73, 155.79, 155.85, 155.91, 155.97, 156.03. 156.09, 156.15, 156.21, 156.27, 156.33, 156.39, 156.45, 156.51, 156.57, 156.63, 156.69, 156.75. 156.81, 156.87, 156.93, 156.99, 157.05, 157.11, 157.17, 157.23. 157.29, 157.35, 157.41, 157.47, 157.53, 157.59, 157.65, 157.71, 157.77, 157.83, 157.89, 157.95.	Police.
158.01, 158.07, 158.13, 158.19, 158.25	Maritime mobile. Urban mobile. ¹ Rural subscriber telephone. Short-distance toll telephone. ⁴ Power, petroleum, etc. ² Provisional, experimental. Railroads.
158.31	Maritime mobile.

¹ May provide radio communication service to all types of mobile units such as marine, land vehicles, aircraft, etc.

² Other classes of stations rendering similar radio services.

³ This channel is 100 kc wide.

⁴ Authorizations for Short-distance Toll Telephone stations currently operating on these frequencies may be renewed, but new Short-distance Toll Telephone stations will not be authorized for operation on these frequencies except upon adequate showing of need.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3063; Filed, Mar. 31, 1947;
8:51 a. m.]

[Docket No. 8256]

SAYRE PRINTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Sayre Printing Company, Sayre, Pennsylvania, Docket No. 8256, File No. BP-5872; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 20th day of March 1947;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 1340 kc, with 250 w power, unlimited time, at Sayre, Pennsylvania;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application of Sayre Printing Company be, and it is hereby, designated for hearing, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the

applicant corporation, its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with Station WMBO, Auburn, New York, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That WMBO, Incorporated, licensee of Station WMBO, Auburn, New York, be, and it is hereby made a party to this proceeding.

Notice is hereby given that § 1.857, of the Commission's rules and regulations is not applicable to this proceeding.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3066; Filed, Mar. 31, 1947;
8:51 a. m.]

[Docket No. 6651]

NON-GOVERNMENT FIXED AND MOBILE
SERVICES IN THE 30-40 MC BAND

FREQUENCY SERVICE-ALLOCATIONS

MARCH 21, 1947.

The frequency service-allocations set forth herein have been adopted by the Commission and affect the frequencies available to the following services, proposed services or classes of stations, except those operating in the territories and possessions of the United States:

Fixed.
Provisional.
Experimental.
General highway mobile.
Geophysical.
Power, petroleum, etc.
Urban transit.
Fire.
Police.
Forestry and conservation.
Special emergency.
Highway maintenance.
Remote pickup broadcast.
Special services.
Relay press.
Motion picture.
Aviation.
Maritime mobile.

On February 3, 1947, the Commission heard oral argument on its proposed frequency service-allocations to the non-government services in the 30-40 Mc band as proposed in Public Notice 99168 (October 21, 1946) and later revised in Public Notice 2201 (January 7, 1947). Those who submitted briefs or statements and those personally represented at the oral argument were as follows:

Forestry Conservation Communications Association.
Association of State Foresters.
American Telephone & Telegraph Company.
National Bus Communications, Inc.
Boston Police Department.
Chicago Park District.
Eastern States Police Radio League, Inc.
New England Association of Chiefs of Police, Inc.
International Association of Chiefs of Police.
State of Florida Highway Patrol.
Committee 4, Panel 13, R. T. P. B. (Power Utilities).
American Association of State Highway Officials.
American Road Builders Association.
American Transit Association.
Columbia Broadcasting System.
American Broadcasting Company.
Mutual Broadcasting Company.
National Broadcasting Company.
Galvin Manufacturing Company.
General Telephone Corporation.

Raytheon Manufacturing Company.
United States Independent Telephone Association.

In consideration of the testimony presented at the oral argument on February 3, 1947, the Commission has made certain changes in its proposal of January 7, 1947. These changes are embodied in the attached frequency service-allocation plan and affect the following services, proposed services, or classes of stations:

Forestry-conservation. Urban transit.
Highway maintenance. Highway mobile.
Maritime mobile.

Forestry-conservation representatives requested that a portion of their block of frequencies in the low frequency end of the band be shifted to the high frequency end of the band. Since four channels previously shared with the Maritime Mobile Service have been allocated exclusively to Forestry-Conservation and since two channels previously shared with the Maritime Mobile Service are now shared with Urban Transit, the Commission believes that the needs of Forestry-Conservation have been met. Assignment of additional channels would impinge on the needs of the other emergency services.

The Urban Transit representative expressed the only opposition to the Commission's allocation of blocks of channels to each service. This opposition was based on the belief that under a block allocation system fewer channels would be usable than under an interspersed allocation plan for the same number of channels. Two additional channels shared with Forestry-Conservation have been provided this service as already explained.

State Highway Maintenance representatives requested that Highway Maintenance be established as a separate service with two exclusive channels, and be permitted to utilize radio facilities for routine as well as emergency communications. County Highway Maintenance representatives concurred in the recommendation that Highway Maintenance be recognized as a separate service. The Commission believes that Highway Maintenance radio has not yet developed to an extent which merits its establishment as a separate service. The plan adopted, however, specifically indicates Highway Maintenance as a group potentially eligible for a new class of station in the Emergency Service. The question of use of radio facilities permitted Highway Maintenance stations will be handled as a separate matter in connection with a revision of the Rules and Regulations governing the Emergency Services.

The six channels proposed to have been allocated on a shared basis to the Maritime Mobile and Forestry-Conservation Services in the 31 Mc band have been re-allocated so that two of these are shared by Urban Transit and Forestry-Conservation and four become available to Forestry-Conservation exclusively. Ship and coastal stations requiring VHF in addition to those provided in the 152-162 Mc band may be authorized to use the Maritime Mobile Service frequencies in the 35-44 Mc band. Duplex systems, if authorized within this band, will nor-

mally use the lower frequency portion of the band for the coastal stations.

There is at the present time an acute shortage of channels in the 30-40 Mc band. It is the Commission's belief that the use of narrower channel widths offers the only means of obtaining additional channels in this band. As a result of an Engineering Conference held in Washington, D. C., on December 2 and 3, 1946, a committee is to be set up by Panel 13 of the RTPB to study the feasibility of manufacturing on a commercial basis 20-kc channel width equipment which will meet the operational requirements of the various services as demonstrated by actual field tests. This committee will make a preliminary report to the Commission on or before August 1, 1947, and a final report on or before February 1, 1948. The Commission is deferring further consideration of this problem pending the receipt of data from this committee. If the Commission should find a change of a 20-kc channeling system necessary or desirable, that change will be announced by the Commission with ample opportunity for conversion by the services and with due allowances for equipment obsolescence problems. It is anticipated that at least one year will be required to complete a study of the 20-kc channeling problem. In the meantime frequencies will continue to be assigned on the 40-kc channeling basis.

Data furnished the Commission by industry representatives indicate in general that during the first three years of operation of mobile radio equipment, the major replacements consist of tubes; beginning with the fifth year of operation, components other than tubes require replacement; and beginning with the seventh year, the cost of maintenance of equipment is greater than the depreciation on new equipment; and further, that beginning with the fifth year, the service rendered from an operational standpoint begins to be unsatisfactory. This is an especially important consideration in the case of the safety and emergency services.

The former frequency assignments were interspersed; that is, in general, no one service was assigned two or more consecutive channels. A block system of service-allocations whereby each service is allocated its channels in one or two blocks of consecutive channels has been discussed by the Radio Technical Planning Board but has heretofore been impracticable, according to that group, because certain government frequencies were interspersed in the non-government blocks. This situation has now been alleviated by a recent action of the interdepartment Radio Advisory Committee at the request of the Commission. Ten additional channels now are available for allocation to the non-government services in the 30-40 Mc band, and there are no longer any single government channels in the non-government blocks of frequencies above 30.540 Mc. This now permits, for the first time, a technically sound service-allocation plan based on the block system.

To permit maximum utilization of the readjusted spectrum space, the Commission has provided the various services with blocks of frequencies. Those serv-

ices for which duplex operation may prove to be justifiable have been provided two blocks of frequencies with appropriate frequency separation. All other services in general have been provided with but one block of frequencies, except in those cases where the over-all limits of the non-government blocks make this impracticable.

The service-allocation plan presented herein will become effective on April 1, 1947. Representatives of the services operating in this band have expressed a desire to shift frequency as soon as possible and have indicated that three years should be sufficient to allow all users to change to a new allocation plan. Accordingly, all services for which channels have been provided in this band will be required to shift no later than July 1, 1950 to frequencies which are in accord with this plan, and stations in those services for which no provision has been made in this band will be required to vacate this band as soon as practicable but in no case later than July 1, 1950. A committee is to be set up by Panel 13,

RTPB to study the problem of conversion from the present interspersed service-allocation plan to this block plan and advise the Commission of its findings on or before August 1, 1947. The purpose of this study is to present recommendations for the transition in order that the conversion can be completed by no later than July 1, 1950 in an orderly and equitable manner. When all recommendations have been received and studied the Commission will implement a plan for transition to these new block service-allocations.

Licenses of stations, except fixed public and remote pick-up broadcast stations, operated in services for which no provisions have been made in this band will not be renewed after July 1, 1947 for operation in the band 30-40 Mc. Remote pickup broadcast stations currently licensed will be allowed to continue operations in this band for a reasonable period after the allocation of frequencies to these stations in the 25-30 Mc band has been made final, in order to allow for conversion of equipment.

LIST OF ASSIGNMENTS BY FREQUENCY

(Adopted Mar. 20, 1947)

Frequency assignments (Mc)	Service
30.58, 30.62	Provisional, experimental.
30.60, 30.70, 30.74, 30.78, 30.82	Provisional, experimental, urban transit.
30.80, 30.90, 30.94, 30.98, 31.02, 31.06, 31.10, 31.14	Urban transit, forestry-conservation.
31.18, 31.22, 31.26, 31.30, 31.34, 31.38, 31.42, 31.46, 31.50, 31.54, 31.58, 31.62, 31.66, 31.70, 31.74, 31.78, 31.82, 31.86, 31.90, 31.94, 31.98	Forestry-conservation.
(32.0-33.0 Mc—Government).	
33.02, 33.06, 33.10	Special emergency, highway maintenance.
33.14	Low power provisional, experimental.
33.18, 33.22, 33.26, 33.30, 33.34, 33.38	Power, petroleum, etc. ³
33.42, 33.46, 33.50, 33.54, 33.58, 33.62, 33.66, 33.70, 33.74, 33.78, 33.82, 33.86, 33.90, 33.94, 33.98	Fire.
(34.0-35.0 Mc—Government).	
35.02	Low power provisional, experimental.
35.06, 35.10, 35.14, 35.18	Maritime mobile, geophysical.
35.22, 35.26, 35.30, 35.34, 35.38, 35.42, 35.46, 35.50, 35.54, 35.58, 35.62, 35.66, 35.70, 35.74, 35.78, 35.82, 35.86, 35.90, 35.94, 35.98	General highway mobile. ²
(36.0-37.0 Mc—Government).	
37.02, 37.06, 37.10, 37.14, 37.18, 37.22, 37.26, 37.30, 37.34, 37.38, 37.42	Police.
37.46, 37.50, 37.54, 37.58, 37.62, 37.66, 37.70, 37.74, 37.78, 37.82, 37.86	Power, petroleum, etc. ³
37.90, 37.94, 37.98	Special emergency, highway maintenance.
(38.0-39.0 Mc—Government).	
39.02, 39.06, 39.10, 39.14, 39.18, 39.22, 39.26, 39.30, 39.34, 39.38, 39.42, 39.46, 39.50, 39.54, 39.58, 39.62, 39.66, 39.70, 39.74, 39.78, 39.82, 39.86, 39.90, 39.94, 39.98	Police.

¹ Antenna input power limited to 5 watts peak.

² May provide radio communication service to all types of mobile units such as marine, land vehicles, aircraft, etc. Pending final determination of the best method of operation of this service these channels will be assigned on an experimental basis—12 for development on a common carrier basis, 4 for trucks and 4 for buses, except in those cases where it is shown that a different distribution is more desirable.

³ Other industries requiring similar radio service.

ASSIGNABLE FREQUENCIES BY SERVICES

Low Power Provisional, Experimental—2 Channels (Mc)

33.14, 35.02.

Provisional, Experimental—2 Channels (Mc)

30.58, 30.62.

Provisional, Experimental, Urban Transit—5 Channels (Mc)

30.66, 30.70, 30.74, 30.78, 30.82.

Urban Transit, Forestry-Conservation—8 Channels (Mc)

30.86, 30.90, 30.94, 30.98, 31.02, 31.06, 31.10, 31.14.

Forestry-Conservation—21 Channels (Mc)

31.18, 31.22, 31.26, 31.30, 31.34, 31.38, 31.42, 31.46, 31.50, 31.54, 31.58, 31.62, 31.66, 31.70, 31.74, 31.78, 31.82, 31.86, 31.90, 31.94, 31.98.

Special Emergency, Highway Maintenance—6 Channels (Mc)

33.02, 33.06, 33.10, 37.90, 37.94, 37.98.

Power, Petroleum, etc.—17 Channels (Mc)

33.18, 33.22, 33.26, 33.30, 33.34, 33.38, 37.46, 37.50, 37.54, 37.58, 37.62, 37.66, 37.70, 37.74, 37.78, 37.82, 37.86.

Fire—15 Channels (Mc)

33.42, 33.46, 33.50, 33.54, 33.58, 33.62, 33.66, 33.70, 33.74, 33.78, 33.82, 33.86, 33.90, 33.94, 33.98.

General Highway Mobile—20 Channels (Mc)

35.22, 35.26, 35.30, 35.34, 35.38, 35.42, 35.46, 35.50, 35.54, 35.58, 35.62, 35.66, 35.70, 35.74, 35.78, 35.82, 35.86, 35.90, 35.94, 35.98.

Maritime Mobile, Geophysical—4 Channels (Mc)

35.06, 35.10, 35.14, 35.18.

Police—36 Channels (Mc)

37.02, 37.06, 37.10, 37.14, 37.18, 37.22, 37.26, 37.30, 37.34, 37.38, 37.42, 39.02, 39.06, 39.10, 39.14, 39.18, 39.22, 39.26, 39.30, 39.34, 39.38, 39.42, 39.46, 39.50, 39.54, 39.58, 39.62, 39.66,

39.70, 39.74, 39.78, 39.82, 39.86, 39.90, 39.94, 39.98.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3064; Filed, Mar. 31, 1947;
8:51 a. m.]

[Docket No. 7848]

COMMUNITY BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Community Broadcasting Company, Fort Worth, Texas, for construction permit; Docket No. 7848, File No. BP-5182.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 20th day of March 1947;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 1490 kc, with 250 w power, unlimited time, at Fort Worth, Texas;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application of Community Broadcasting Company, be, and it is hereby, designated for hearing, at a place to be designated in Fort Worth, Texas, May 22, 1947, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with Station KVWC, Vernon, Texas, Station KPLT, Paris, Texas, Station KGKB, Tyler, Texas, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of

Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That Northwestern Broadcasting Company, licensee of Station KVWC, Vernon, Texas; North Texas Broadcasting Company, licensee of Station KPLT, Paris, Texas; and James G. Ulmer and James G. Ulmer, Jr., d/b as East Texas Broadcasting Company, licensee of Station KGKB, Tyler, Texas, be, and they are hereby, made parties to this proceeding.

Notice is hereby given that § 1.857 of the Commission's rules and regulations is not applicable to this proceeding.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3067; Filed, Mar. 31, 1947;
8:51 a. m.]

[Docket Nos. 8257, 8258]

ELLIS COUNTY BROADCASTING CO. AND
TEXAS STAR BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Ellis County Broadcasting Company, Waxahachie, Texas, Docket No. 8257, File No. BP-5339; Roy Hofheinz and W. N. Hooper, d/b as Texas Star Broadcasting Company, Dallas, Texas, Docket No. 8258, File No. BP-5820; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 20th day of March 1947;

The Commission having under consideration the above-entitled applications of Ellis County Broadcasting Company requesting a construction permit for a new standard broadcast station to operate on 730 kc, with 250 w power daytime only, at Waxahachie, Texas, and Roy Hofheinz and W. N. Hooper, d/b as Texas Star Broadcasting Company, requesting a construction permit for a new standard broadcast station to operate on 740 kc., with 10 kw. power, unlimited time, employing a directional antenna, at Dallas, Texas;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications be, and they are hereby, designated for hearing in a consolidated proceeding, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant partnership and the partners and of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operations of the proposed stations and the character of other broadcast service available to those areas and populations.

3. To determine type and character of program services proposed to be rendered and whether they would meet the

requirements of the populations and areas proposed to be served.

4. To determine whether the operations of the proposed stations would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operations of the proposed stations would involve objectionable interference, each with the other, or with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installations and operations of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

Notice is hereby given that § 1.857 of the Commission's rules and regulations is not applicable to this proceeding.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3068; Filed, Mar. 31, 1947;
8:52 a. m.]

[Docket Nos. 8259, 8260]

WILLIAMSON BROADCASTING CORP. AND CUMBERLAND PUBLISHING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Williamson Broadcasting Corporation, Pikesville, Kentucky, Docket No. 8259, File No. BP-5502; Cumberland Publishing Company, Pikesville, Kentucky, Docket No. 8260, File No. BP-5904; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C. on the 20th day of March 1947;

The Commission having under consideration the above-entitled applications each requesting a construction permit for a new standard broadcast station to operate on 1240 kc, with 250 w power, unlimited time, at Pikesville, Kentucky;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications be, and they are hereby, designated for hearing in a consolidated proceeding, at a time and place to be designated by subsequent order of the Commission, each upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or

lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the other pending application in this proceeding or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

Notice is hereby given that § 1.857 of the Commission's rules and regulations is not applicable to this proceeding.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3069; Filed, Mar. 31, 1947;
8:52 a. m.]

[Docket Nos. 8197, 8193, 8218, 8219]

RADIO BROADCASTING CORP. ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Radio Broadcasting Corporation, LaSalle-Peru, Illinois, Docket No. 8197, File No. BP-5747; McLean County Broadcasting Company, Bloomington, Illinois, Docket No. 8193, File No. BP-5857; Northwestern Indiana Radio Company, Inc., Valparaiso, Indiana, Docket No. 8218, File No. BP-5574; Steel City Broadcasting Corporation, Gary, Indiana, Docket No. 8219, File No. BP-5888; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 20th day of March 1947;

The Commission having under consideration the above-entitled applications of Radio Broadcasting Corporation, requesting a construction permit for a new standard broadcast station to operate on 1080 kc, with 1 kw power, daytime only, at LaSalle-Peru, Illinois; McLean County Broadcasting Company, requesting a construction permit for a new standard broadcast station to operate on 1080 kc, with 250 w power, day-

time only, at Bloomington, Illinois; Northwestern Indiana Radio Company, Inc., requesting a construction permit for a new standard broadcast station to operate on 1080 kc, with 250 w power, daytime only, at Valparaiso, Indiana; and Steel City Broadcasting Corporation, requesting a construction permit for a new standard broadcast station to operate on 1080 kc, with 1 kw power, daytime only, at Gary, Indiana; and

It appearing, that the Commission on March 6, 1947, designated for hearing in a consolidated proceeding the above entitled applications of Radio Broadcasting Corporation and McLean County Broadcasting Company; and

It further appearing, that the Commission, on March 12, 1947, designated for hearing in a consolidated proceeding the above entitled applications of Northwestern Indiana Radio Company, Inc. and Steel City Broadcasting Corporation;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above entitled applications be, and they are hereby, designated for hearing in a consolidated proceeding, at a time and place to be designated by subsequent order of the Commission, each upon the issues heretofore specified by the Commission; and

It is further ordered, That the Commission's order, dated March 6, 1947, designating for hearing in a consolidated proceeding the above entitled applications of Radio Broadcasting Corporation and McLean County Broadcasting Company, be, and it is hereby, amended to include the above-entitled applications of Northwestern Indiana Radio Company, Inc., and Steel City Broadcasting Corporation; and

It is further ordered, That the Commission's order, dated March 12, 1947, designating for hearing in a consolidated proceeding the above entitled applications of Northwestern Indiana Radio Company, Inc., and Steel City Broadcasting Corporation be, and it is hereby, amended to include the above-entitled applications of Radio Broadcasting Corporation and McLean County Broadcasting Company; and

It is further ordered, That each Issue No. 7 of the Commission's orders of March 6, 1947 and March 12, 1947, designating the above-entitled applications for hearing, be, and it is hereby amended to read as follows:

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3070; Filed, Mar. 31, 1947;
8:52 a. m.]

[Docket Nos. 7629, 8119, 8261]

LAKE STATES BROADCASTING CO. ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Lake States Broadcasting Company, Milwaukee, Wis-

consin, Docket No. 8119, File No. BP-5359; Lake Shore Broadcasting Company, Evanston, Illinois, Docket No. 7629, File No. BP-4750; Cornbelt Broadcasting Company (WHOW), Clinton, Illinois, Docket No. 8261, File No. BMP-2562; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 20th day of March 1947;

The Commission having under consideration the above-entitled applications of Lake Shore Broadcasting Company requesting a construction permit for a new standard broadcast station to operate on 1520 kc, with 5 kw power, daytime only, employing a directional antenna, at Evanston, Illinois and Cornbelt Broadcasting Company, requesting a modification of construction permit to change the facilities of Station WHOW, Clinton, Illinois from 1520 kc, with 1 kw power, daytime only to 1520 kc, with 5 kw power, unlimited time, employing a directional antenna at night.

It appearing, that the Commission on February 20, 1947, designated for hearing the application of Lake States Broadcasting Company (File No. BP-5359; Docket No. 8119) requesting a construction permit for a new standard broadcast station to operate on 1520 kc, with 5 kw power, unlimited time, employing a directional antenna, at Milwaukee, Wisconsin;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications of Lake Shore Broadcasting Company and Cornbelt Broadcasting Company be, and they are hereby, designated for hearing in a consolidated proceeding with the application of Lake States Broadcasting Company (File No. BP-5359; Docket No. 8119), at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporations, their officers, directors, and stockholders to construct and operate the proposed station and Station WHOW as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operations of the proposed station and Station WHOW as proposed and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether they would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operations of the proposed station and Station WHOW as proposed, would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operations of the proposed station and Station WHOW as proposed, would involve objectionable interference, each with the

other, with the services proposed in the pending application of Lake States Broadcasting Company (File No. BP-5359; Docket No. 8119), or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installations and operations of the proposed station and Station WHOW as proposed, would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the Commission's order, dated February 20, 1947, designating for hearing the above-entitled application of Lake States Broadcasting Company, be and it is hereby, amended to include the above-entitled applications of Lake Shore Broadcasting Company and Cornbelt Broadcasting Company, and to include among the issues for hearing, Issue No. 7 stated above.

Notice is hereby given that § 1.857 of the Commission's rules and regulations is not applicable to this proceeding.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc 47-3071; Filed, Mar. 31, 1947;
8:53 a. m.]

[Docket Nos. 8235, 8236]

SEWARD COUNTY BROADCASTING CO. AND
NORTH PLAINS BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Alf M. Landon, William Lee Larrabee, Wilbur Vernon Griffith and Ralph Edward Colvin, d/b as Seward County Broadcasting Company, Liberal Kansas, Docket No. 8235, File No. BP-5719; Van W. Stewart, Carl Ellis and F. B. Sumpter, d/b as North Plains Broadcasting Company, Perryton, Texas, Docket No. 8236, File No. BP-5898; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 20th day of March 1947;

The Commission having under consideration the above-entitled applications of Alf M. Landon, William Lee Larrabee, Wilbur Vernon Griffith and Ralph Edward Colvin, d/b as Seward County Broadcasting Company requesting a construction permit for a new standard broadcast station to operate on 1400 kc, 250 w power unlimited time, at Liberal, Kansas and Van W. Stewart, Carl Ellis and F. B. Sumpter, d/b as North Plains Broadcasting Company requesting a construction permit for a new standard broadcast station to operate on 1400 kc, 250 w power, unlimited time, at Perryton, Texas;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications, be, and they are hereby, designated for hearing in a consolidated proceeding, at a time and place to be designated by subsequent order of the Commission, each upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and the partners to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the other pending application in this proceeding or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

Notice is hereby given that § 1.857 of the Commission's rules and regulations is not applicable to this proceeding.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3072; Filed, Mar. 31, 1947;
8:53 a. m.]

[Docket Nos. 8237, 8238]

BAY RADIO, INC., AND WESTERN OREGON
BROADCASTING, INC.

ORDER DESIGNATING APPLICATION FOR CON-
SOLIDATED HEARING ON STATED ISSUES

In re applications of Bay Radio, Inc., North Bend, Oregon, Docket No. 8237; File No. BP-5565; Western Oregon Broadcasting, Inc., Reedsport, Oregon, Docket No. 8238, File No. BP-5896; for construction permits.

At a session of the Federal Communi-
cations Commission, held at its offices

in Washington, D. C., on the 20th day
of March 1947;

The Commission having under consid-
eration the above-entitled applications
of Bay Radio, Inc. requesting a con-
struction permit for a new standard
broadcast station to operate on 1340 kc,
250 w power, unlimited time, at North
Bend, Oregon and Western Oregon
Broadcasting, Inc. requesting a con-
struction permit for a new standard
broadcast station to operate on 1340 kc,
250 w power, unlimited time, at Reed-
sport, Oregon;

It is ordered, That, pursuant to sec-
tion 309 (a) of the Communications Act
of 1934, as amended, the said applica-
tions be, and they are hereby, designated
for hearing in a consolidated proceeding,
at a time and place to be designated by
subsequent order of the Commission,
each upon the following issues:

1. To determine the legal, technical,
financial, and other qualifications of the
applicant corporation, its officers, direc-
tors and stockholders to construct and
operate the proposed station.

2. To determine the areas and popu-
lations which may be expected to gain
or lose primary service from the opera-
tion of the proposed station and the
character of other broadcast service
available to those areas and popula-
tions.

3. To determine the type and char-
acter of program service proposed to be
rendered and whether it would meet the
requirements of the populations and
areas proposed to be served.

4. To determine whether the opera-
tion of the proposed station would in-
volve objectionable interference with
any existing broadcast stations and, if
so, the nature and extent thereof, the
areas and populations affected thereby,
and the availability of other broadcast
service to such areas and populations.

5. To determine whether the operation
of the proposed station would involve
objectionable interference with the ser-
vices proposed in the other pending ap-
plication in this proceeding or in any other
pending applications for broadcast facili-
ties and, if so, the nature and extent
thereof, the areas and populations af-
fected thereby, and the availability of
other broadcast service to such areas and
populations.

6. To determine whether the installa-
tion and operation of the proposed sta-
tion would be in compliance with the
Commission's rules and Standards of
Good Engineering Practice Concerning
Standard Broadcast Stations.

7. To determine on a comparative
basis which, if either, of the applications
in this consolidated proceeding should
be granted.

Notice is hereby given that § 1.857 of
the Commission's rules and regulations
is not applicable to this proceeding.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3073; Filed, Mar. 31, 1947;
8:54 a. m.]

[Docket Nos. 8233, 8249]

CONNECTICUT ELECTRONICS CORP. AND
HEATHCOTE BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CON-
SOLIDATED HEARING ON STATED ISSUES

In re applications of The Connecticut
Electronics Corporation, Bridgeport,
Connecticut, Docket No. 8329, File No.
BP-5375; George J. Feinberg and J. Har-
vey McCoy, d/b as Heathcote Broadcast-
ing Company, Scarsdale, New York,
Docket No. 8240, File No. BP-5893, for
construction permits.

At a session of the Federal Communi-
cations Commission, held at its offices
in Washington, D. C., on the 20th day
of March 1947;

The Commission having under con-
sideration the above-entitled applica-
tions of The Connecticut Electronics
Corporation requesting a construction
permit for a new standard broadcast sta-
tion to operate on 740 kc, 1 kw power,
daytime only, employing a directional
antenna, at Bridgeport, Connecticut and
George J. Feinberg and J. Harvey Mc-
Coy, d/b as Heathcote Broadcasting
Company requesting a construction per-
mit for a new standard broadcast station
to operate on 740 kc, 250 w power, day-
time only, at Scarsdale, New York;

It is ordered, That, pursuant to section
309 (a) of the Communications Act of
1934, as amended, the said applications
be, and they are hereby, designated for
hearing in a consolidated proceeding, at
a time and place to be designated by sub-
sequent order of the Commission, upon
the following issues:

1. To determine the legal, technical,
financial, and other qualifications of the
applicant partnership and the partners
and of the applicant corporation, its of-
ficers, directors and stockholders to con-
struct and operate the proposed stations.

2. To determine the areas and popu-
lations which may be expected to gain or
lose primary service from the operations
of the proposed stations and the char-
acter of other broadcast service avail-
able to those areas and populations.

3. To determine the type and charac-
ter of program services proposed to be
rendered and whether they would meet
the requirements of the populations and
areas proposed to be served.

4. To determine whether the opera-
tions of the proposed stations would in-
volve objectionable interference with
any existing broadcast stations and, if
so, the nature and extent thereof, the
areas and populations affected thereby,
and the availability of other broadcast
service to such areas and populations.

5. To determine whether the opera-
tions of the proposed stations would in-
volve objectionable interference, each
with the other, or with the services pro-
posed in any other pending applications
for broadcast facilities and, if so, the
nature and extent thereof, the areas and
populations affected thereby, and the
availability of other broadcast service
to such areas and populations.

6. To determine whether the installa-
tions and operations of the proposed
stations would be in compliance with the
Commission's rules and Standards of

Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

Notice is hereby given that § 1.857 of the Commission's rules and regulations is not applicable to this proceeding.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3074; Filed, Mar. 31, 1947;
8:54 a. m.]

[Docket Nos. 8241, 8242]

BEXAR BROADCASTING CO. AND FORT BEND
BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CON-
SOLIDATED HEARING ON STATED ISSUES

In re applications of W. K. McCauley and W. M. Ritter, d/b as Bexar Broadcasting Company, San Antonio, Texas, Docket No. 8241, File No. BP-5705; Fort Bend County Broadcasting Company, a voluntary association, Julius E. Junker, Trustee, Rosenberg, Texas, Docket No. 8242, File No. BP-5908; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 20th day of March 1947;

The Commission having under consideration the above-entitled applications of W. K. McCauley and W. M. Ritter, d/b as Bexar Broadcasting Company requesting a construction permit for a new standard broadcast station to operate on 980 kc, 1 kw power, daytime only, at San Antonio, Texas and Fort Bend County Broadcasting Company, a voluntary association, Julius E. Junker, Trustee requesting a construction permit for a new standard broadcast station to operate on 980 kc, 250 w power, daytime only, at Rosenberg, Texas;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications be, and they are hereby, designated for hearing in a consolidated proceeding, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and the partners and of the applicant association, its officers, trustee and members to construct and operate the proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operations of the proposed stations and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program services proposed to be rendered and whether they would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operations of the proposed stations would involve objectionable interference with any existing broadcast stations and, if so,

the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operations of the proposed stations would involve objectionable interference, each with the other or with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installations and operations of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

Notice is hereby given that § 1.857 of the Commission's rules and regulations is not applicable to this proceeding.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3075; Filed, Mar. 31, 1947;
8:54 a. m.]

[Docket Nos. 7627, 8156, 7939]

RADIO PHOENIX, INC., ET AL.

ORDER DESIGNATING APPLICATION FOR CON-
SOLIDATED HEARING ON STATED ISSUES

In re applications of Radio Phoenix, Inc., Phoenix, Arizona, Docket No. 7627, File No. BP-4860; John C. Mullens, Phoenix, Arizona, Docket No. 8156, File No. BP-5449; Gene Burke Brophy, Nogales, Arizona, Docket No. 7939, File No. BP-5149; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 20th day of March 1947;

The Commission having under consideration the above-entitled application of Gene Burke Brophy requesting a construction permit for a new standard broadcast station to operate on 910 kc, 100 w, 250 w local sunset power, unlimited time, at Nogales, Arizona;

It appearing, that the Commission on February 27, 1947, designating for hearing in a consolidated proceeding the applications of Radio Phoenix, Inc. (File No. BP-4860, Docket No. 7627) requesting a construction permit for a new standard broadcast station to operate on 910 kc, 5 kw power, unlimited time, at Phoenix, Arizona, and John C. Mullens (File No. BP-5449, Docket No. 8156) requesting a construction permit for a new standard broadcast station to operate on 920 kc, 1 kw power, daytime only, at Phoenix, Arizona;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application of Gene Burke Brophy, be, and it is hereby, designated for hearing in the above consolidated proceeding, at a time and place to be designated by subsequent

order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed stations would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the other pending applications in this proceeding or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

It is further ordered, That the Commission's order, dated February 27, 1947, designating the above-entitled applications of Radio Phoenix, Inc., and John C. Mullens for hearing in a consolidated proceeding be, and it is hereby, amended to include the above-entitled application of Gene Burke Brophy, and to include among the issues for hearing, Issue No. 7, stated above.

Notice is hereby given that § 1.857 of the Commission's rules and regulations is not applicable to this proceeding.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3076; Filed, Mar. 31, 1947;
8:54 a. m.]

[Docket Nos. 6805, 7977, 8069]

BOOTH RADIO STATIONS, INC., ET AL.

ORDER CONTINUING HEARING

In re applications of Booth Radio Stations, Inc., Saginaw, Michigan, Docket No. 6805, File No. BP-4088; Federated Publications, Inc., Lansing, Michigan, Docket No. 7977, File No. BP-5385; Saginaw Broadcasting Company, Saginaw, Michigan, Docket No. 8069, File No. BP-5578; for construction permits.

The Commission having scheduled a hearing on the above-entitled applications for Wednesday, March 26, 1947 at Washington, D. C.;

It appearing, that public interest, convenience and necessity will be served by a continuance of the said hearing thereon; and counsel for all parties have consented to such continuance;

It is ordered, This 21st day of March 1947, on the Commission's own motion, that the hearing upon the above-entitled applications be, and it is hereby, continued to Tuesday, April 8, 1947 at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3084; Filed, Mar. 31, 1947;
8:56 a. m.]

[Docket Nos. 7765, 8023]

FRANK MITCHELL FARRIS, JR., AND WCOE, INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Frank Mitchell Farris, Jr., Nashville, Tennessee, Docket No. 7765, File No. BP-4043; WCOE, Inc., Nashville, Tennessee, Docket No. 8023, File No. BP-5477; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 20th day of March 1947;

The Commission having under consideration the above-entitled applications of Frank Mitchell Farris, Jr., requesting a construction permit for a new standard broadcast station to operate on 1410 kc, 1 kw power, unlimited time, employing a directional antenna, at Nashville, Tennessee and WCOE, Inc., requesting a construction permit for a new standard broadcast station to operate on 1410 kc, 5 kw power, unlimited time, employing a directional antenna, at Nashville, Tennessee;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications be, and they are hereby, designated for hearing in a consolidated proceeding, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the individual applicant and of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operations of the proposed stations and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program services proposed to be rendered and whether they would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operations of the proposed stations would in-

volve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operations of the proposed stations would involve objectionable interference, each with the other, or with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installations and operations of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

Notice is hereby given that § 1.857 of the Commission's rules and regulations is not applicable to this proceeding.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3079; Filed, Mar. 31, 1947;
8:55 a. m.]

[Docket Nos. 7897, 8252, 8253]

ARECIBO BROADCASTING CO., INC., ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Arecibo Broadcasting Company, Inc., Arecibo, Puerto Rico, Docket No. 7807, File No. BP-5047; Juan Martinez Vela and Felix V. Rodriguez, d/b as The Martinez-Rodriguez Broadcasting Company, San Juan, Puerto Rico, Docket No. 8352, File No. BP-5669; Jose Bechara, Jr. (WKJB), Mayaguez, Puerto Rico, Docket No. 8253, File No. BP-5938; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 20th day of March 1947;

The Commission having under consideration the above-entitled applications of Arecibo Broadcasting Company, Inc. requesting a construction permit for a new standard broadcast station to operate on 1190 kc, 250 w power, unlimited time, at Arecibo, Puerto Rico, Juan Martinez Vela and Felix V. Rodriguez, d/b as The Martinez-Rodriguez Broadcasting Company requesting a construction permit for a new standard broadcast station to operate on 1190 kc, 10 kw power, limited time, at San Juan, Puerto Rico and Jose Bechara, Jr., permittee of a construction permit for a new standard broadcast station to operate on 1340 kc, 250 w power, unlimited time, at Mayaguez, Puerto Rico, requesting a construction permit to change said facilities to 1190 kc, 10 kw power, unlimited time, employing a directional antenna;

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications be, and they are hereby, designated for hearing in a consolidated proceeding, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the individual applicant, of the applicant partnership and the partners and stockholders to construct and operate the proposed stations and Station WKJB as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operations of the proposed stations and Station WKJB as proposed and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program services proposed to be rendered and whether they would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operations of the proposed stations and Station WKJB as proposed would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operations of the proposed stations and Station WKJB as proposed would involve objectionable interference, each with the others, or with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installations and operations of the proposed stations and Station WKJB as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

Notice is hereby given that § 1.857 of the Commission's rules and regulations is not applicable to this proceeding.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3033; Filed, Mar. 31, 1947;
8:55 a. m.]

[Docket Nos. 7834, 8234]

WDEL, INC. AND WILMINGTON-TRI STATE BROADCASTING CO., INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of WDEL, Inc., Wilmington, Delaware, File No. BPH-177, Docket No. 7834; Wilmington-Tri State Broadcasting Company, Inc., Wilming-

ton, Delaware, File No. BPH-1195, Docket No. 8234; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 20th day of March 1947;

The Commission having under consideration a petition filed on September 27, 1946, by WDEL, Inc., requesting that the Commission reconsider its action of designating for hearing the WDEL, Inc. application for a new FM station at Wilmington, Delaware, (Docket No. 7834; File No. BPH-177); and the granting of the application without hearing;

The Commission also having under consideration the application of the Wilmington Tri-State Broadcasting Company, Inc. application for a new Class B FM station at Wilmington, Delaware (File No. BPH-1195); and a petition from the same applicant (filed on February 27, 1947) requesting that its application be designated for hearing and consolidated with the hearing on the application of WDEL, Inc. (Docket No. 7834; File No. BPH-177) scheduled to begin in Wilmington, Delaware on March 31, 1947, at 10:00 a. m.; an opposition to this petition filed by WDEL, Inc. on March 5, 1947; and a reply to the opposition filed on March 17, 1947;

It appearing that only one Class-B FM channel is available for assignment to the Wilmington area;

It is ordered, That, the petition of WDEL, Inc., be and it is hereby denied.

It is further ordered, That the Wilmington Tri-State Broadcasting Company, Inc.'s petition requesting that its application for a new Class B FM station at Wilmington, Delaware File No. BPH-1195 be designated for hearing and consolidated with the hearing on the application of WDEL, Inc. (Docket No. 7834) be, and it is hereby, granted.

It is further ordered, Pursuant to section 309 (a) of the Communications Act, as amended, that the above application be, and it is hereby designated for hearing, to which § 1.857 of the Commission's rules and regulations shall not be applicable, in consolidation with the application of WDEL, Inc. for a construction permit for a new FM Class B station at Wilmington, Delaware (Docket No. 7834; File No. BPH-177) scheduled to begin in Wilmington, Delaware on March 31, 1947 at 10:00 a. m.; upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant to operate and construct the proposed station.

2. To obtain full information with respect to the nature and character of the proposed program service.

3. To determine the areas and populations which may be expected to receive service from the proposed service.

4. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

It is further ordered, That, the orders heretofore issued in the proceeding on Docket No. 7834, be, and they are hereby, amended to include the application of

Wilmington Tri-State Broadcasting Company, Inc. (File No. BPH-1195).

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3087; Filed, Mar. 31, 1947;
8:56 a. m.]

[Docket Nos. 7878, 7879]

CONCHO VALLEY BROADCASTING CO. AND
RUNNELS COUNTY BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of Walter E. Yaggy, L. B. Horton, L. B. Horton, Jr. & Virginia Ede Carswell d/b as the Concho Valley Broadcasting Company, San Angelo, Texas, Docket No. 7878, File No. BP-4968; Fred Harman, E. L. Ingram, Arthur M. Underwood & R. E. Bruce d/b as Runnels County Broadcasting Company, Ballinger, Texas, Docket No. 7879, File No. BP-5025; for construction permit.

The Commission having under consideration a petition filed March 12, 1947 by Runnels County Broadcasting Company, Ballinger, Texas requesting a continuance in the consolidated hearing upon its application for construction permit (File No. BP-5025, Docket No. 7879) and the application of Concho Valley Broadcasting Company, San Angelo, Texas (File No. BP-4968, Docket No. 7878) which is presently scheduled for March 17, 1947 at San Angelo, Texas;

It is ordered, This 14th day of March 1947 that the petition for continuance be, and it is hereby, granted; and the said hearing upon the above-entitled applications be, and it is hereby, continued to 10:00 o'clock Monday, May 26, at San Angelo and May 27, 1947 at Ballinger, Texas.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3085; Filed, Mar. 31, 1947;
8:56 a. m.]

[Docket No. 8231]

STEEL CITY BROADCASTING CORP.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Steel City Broadcasting Corporation, Homestead, Pennsylvania, Docket No. 8231, File No. BP-5343; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 20th day of March 1947;

The Commission having under consideration the above-entitled application for Construction Permit for a new standard broadcast station to operate on 860 kc, 250 w, daytime only, at Homestead, Pennsylvania;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application of Steel City Broadcasting Corporation be, and it is hereby, designated for hearing,

§ 1.857 of the Commission's rules and regulations not being applicable, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in the pending applications of Tri-Borough Broadcasting Company, Apollo, Pennsylvania (File Number unassigned) and Beaver Valley Radio, Inc., Beaver Falls, Pennsylvania (File No. BP-5563) or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the operation of the proposed station would involve objectionable interference with Station CFRB, Ontario, Canada, as presently operating on 860 kc, 10 kw, unlimited time (or operating at 50 kw power as said station is authorized to do), or with any other foreign station, within the meaning of the North American Regional Broadcasting Agreement.

7. To determine whether the operation of the proposed station would produce a signal at the Canadian Border in excess of that stipulated by the terms of the North American Regional Broadcasting Agreement.

8. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3086; Filed, Mar. 31, 1947;
8:56 a. m.]

[Docket Nos. 8243 and 8244]

JAMES E. LATIMER ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of James E. Latimer and William A. Pritchett, Lake City,

South Carolina, Docket No. 8243, File No. BP-5008; WKST, Inc. (WKST), New Castle, Pennsylvania, Docket No. 8244, File No. BP-5913; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 20th day of March 1947;

The Commission having under consideration the above-entitled applications of James E. Latimer and William A. Pritchett requesting a construction permit for a new standard broadcast station to operate on 1280 kc, 250 w power, unlimited time, at Lake City, South Carolina and WKST, Inc. requesting a construction permit to change the facilities of Station WKST, New Castle, Pennsylvania from 1280 kc, 1 kw power, unlimited time to 1280 kc, 5 kw power, unlimited time, employing a directional antenna at night;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications be, and they are hereby, designated for hearing in a consolidated proceeding, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant partnership and the partners and of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed station and Station WKST as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operations of the proposed station and Station WKST as proposed and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program services proposed to be rendered and whether they would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operations of the proposed station and Station WKST as proposed would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operations of the proposed station and Station WKST as proposed would involve objectionable interference, each with the other, or with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installations and operations of the proposed station and Station WKST as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications

in this consolidated proceeding should be granted.

Notice is hereby given that § 1.857 of the Commission's rules and regulations is not applicable to this proceeding.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3077; Filed, Mar. 31, 1947; 8:55 a. m.]

[Docket Nos. 8039 and 8251]

COASTAL BROADCASTING CO. AND CITRUS BELT BROADCASTERS, INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Coastal Broadcasting Company, Lakeland, Florida, Docket No. 8039, File No. BP-5256; Citrus Belt Broadcasters, Inc. (WSIR), Winter Haven, Florida, Docket No. 8251, File No. BP-5937; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 20th day of March 1947;

The Commission having under consideration the above-entitled applications of Coastal Broadcasting Company requesting a construction permit for a new standard broadcast station to operate on 1230 kc, with 250 w power, unlimited time, at Lakeland, Florida and Citrus Belt Broadcasters, Inc., permittee of a construction permit for a new standard broadcast station to operate on 1490 kc, with 250 w power, unlimited time, at Winter Haven, Florida, requesting a construction permit to change said facilities to 1230 kc, with 250 w power, unlimited time;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications be, and they are hereby, designated for hearing in a consolidated proceeding, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporations, their officers, directors and stockholders to construct and operate the proposed station and Station WSIR as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operations of the proposed station and Station WSIR as proposed and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program services proposed to be rendered and whether they would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operations of the proposed station and Station WSIR as proposed would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the avail-

ability of other broadcast service to such areas and populations.

5. To determine whether the operations of the proposed station and Station WSIR as proposed would involve objectionable interference, each with the other, or with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installations and operations of the proposed station and Station WSIR as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

Notice is hereby given that § 1.857 of the Commission's rules and regulations is not applicable to this proceeding.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3032; Filed, Mar. 31, 1947; 8:55 a. m.]

[Docket Nos. 8245 and 8246]

PHILIP MATHEWS AND YORK BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Philip Mathews, Carlisle, Pennsylvania, Docket No. 8245, File No. BP-5545; York Broadcasting Company (WORK), York, Pennsylvania, Docket No. 8246, File No. BP-5907; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 20th day of March 1947;

The Commission having under consideration the above-entitled applications of Philip Mathews requesting a construction permit for a new standard broadcast station to operate on 1340 kc, 250 w power, unlimited time, at Carlisle, Pennsylvania and York Broadcasting Company requesting a construction permit to change the facilities of Station WORK, York, Pennsylvania from 1350 kc, 1 kw power, unlimited time, directional antenna at night to 1350 kc, 1 kw, 5 kw local sunset power, unlimited time, employing a directional antenna at night;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications be, and they are hereby, designated for hearing in a consolidated proceeding, at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the individual applicant and of the applicant corporation, its officers, directors and stockholders to construct and operate

the proposed station and Station WORK as proposed.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operations of the proposed station and Station WORK as proposed and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program services proposed to be rendered and whether they would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operations of the proposed station and Station WORK as proposed would involve objectionable interference with any existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operations of the proposed station and Station WORK as proposed would involve objectionable interference, each with the other, or with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installations and operations of the proposed station and Station WORK as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

Notice is hereby given that § 1.857 of the Commission's rules and regulations is not applicable to this proceeding.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3078; Filed, Mar. 31, 1947;
8:55 a. m.]

[Docket No. 8247]

SANTA ROSA BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Santa Rosa Broadcasting Company, Santa Rosa, California, Docket No. 8247, File No. BP-5855; for construction permit.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 20th day of March 1947;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 1240 kc., with 250 w power, unlimited time, at Santa Rosa, California;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application

of Santa Rosa Broadcasting Company be, and it is hereby, designated for hearing, at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed station would involve objectionable interference with Station KROY, Sacramento, California, or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That Harmco, Inc., licensee of Station KROY, Sacramento, California, be, and it is hereby, made a party to this proceeding.

Notice is hereby given that § 1.857 of the Commission's rules and regulations is not applicable to this proceeding.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3080; Filed, Mar. 31, 1947;
8:55 a. m.]

[Docket Nos. 8248 and 8249]

AGNES JANE REEVES GREER AND MASSILLON BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Agnes Jane Reeves Greer, Dover, Ohio, Docket No. 8248, File No. BP-5319; The Massillon Broadcasting Company, Massillon, Ohio, Docket No. 8249, File No. BP-5895; for construction permits.

At a session of the Federal Communications Commission, held at its offices in Washington, D. C., on the 20th day of March 1947;

The Commission having under consideration the above-entitled applications of Agnes Jane Reeves Greer requesting a construction permit for a new standard broadcast station to operate on 1450 kc, 250 w power, unlimited time, at Dover, Ohio and The Massillon Broadcasting Company requesting a construction permit for a new standard broadcast station to operate on 1450 kc, 250 w power, unlimited time, at Massillon, Ohio;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications be, and they are thereby, designated for hearing in a consolidated proceeding, at a time and place to be designated by subsequent order of the Commission, upon the following issues:

1. To determine the legal, technical, financial, and other qualifications of the individual applicant and of the applicant corporation, its officers, directors and stockholders to construct and operate the proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operations of the proposed stations and the character of other broadcast service available to those areas and populations.

3. To determine the type and character of program services proposed to be rendered and whether they would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operations of the proposed stations would involve objectionable interference with Station WFMJ, Youngstown, Ohio, WJPA, Washington, Pennsylvania, WHBC, Canton, Ohio or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine whether the operations of the proposed stations would involve objectionable interference, each with the other, or with the services proposed in the pending applications of The Sandusky Broadcasting Company, Sandusky, Ohio (File No. BP-4208, Docket No. 7003), Lake Erie Broadcasting Co., Sandusky, Ohio (File No. BP-4190, Docket No. 7004), The Bay Broadcasting Company, Sandusky, Ohio (File No. BP-4387, Docket No. 7172), or in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine whether the installations and operations of the proposed stations would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine on a comparative basis which, if either, of the applications in this consolidated proceeding should be granted.

It is further ordered, That The WFMJ Broadcasting Company, licensee of Station WFMJ, Youngstown, Ohio, Washington Broadcasting Company, licensee of Station WJPA, Washington, Pennsyl-

vania and The Ohio Broadcasting Company, licensee of Station WHBC, Canton, Ohio, be, and they are hereby, made parties to this proceeding.

Notice is hereby given that § 1.857 of the Commission's rules and regulations is not applicable to this proceeding.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 47-3081; Filed, Mar. 31, 1947;
8:55 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-331]

OHIO-FUEL GAS CO.

NOTICE OF FINDINGS AND ORDER ISSUING
CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY

MARCH 26, 1947.

Notice is hereby given that, on March 26, 1947, the Federal Power Commission issued its findings and order entered March 25, 1947, issuing certificate of public convenience and necessity in the above-designated matter.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-3004; Filed, Mar. 31, 1947;
8:46 a. m.]

[Docket No. G-855]

MEMPHIS NATURAL GAS CO. AND KENTUCKY
NATURAL GAS CORP.

ORDER POSTPONING HEARING

Upon consideration of telegraphic advice from Memphis Natural Gas Company under date of March 25, 1947, that it will not be in a position to proceed with the hearing upon its application in this docket, now set for April 1, 1947, due to the fact that a revised plan for the consolidation of Kentucky Natural Gas Corporation and Memphis Natural Gas Company will be filed on or before April 17, 1947;

The Commission orders that: The hearing now set in this matter to commence at 10:00 a. m. (e. s. t.), on April 1, 1947, in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C., be and the same is hereby postponed to a date to be hereafter fixed by order of the Commission.

Date of issuance: March 26, 1947.

By the Commission.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-3025; Filed, Mar. 31, 1947;
8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 396, Special Permit 152]

RECONSIGNMENT OF ONIONS AT KANSAS
CITY, MO.

Pursuant to the authority vested in me by paragraph (f) of the first ordering

No. 64—6

paragraph of Service Order No. 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Kansas City, Missouri, March 25, 1947, by Belson Brothers, of car PFE 60451, onions, now on the Union Pacific RR., to Belson Brothers, Chicago, Ill. (Wab.).

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of March 1947.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 47-3010; Filed, Mar. 31, 1947;
8:47 a. m.]

[Rev. S. O. 620, Special Permit 1]

LIGHTWEIGHING OF CARS AT HOBOKEN AND
EDGEWATER, N. J.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Revised Service Order No. 620 (12 F. R. 641), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard the provisions of Revised Service Order No. 620 insofar as it applies to the lightweighing:

At its Edgewater Terminal Yard by the New York, Susquehanna and Western Railroad Company (Henry K. Norton, Trustee), or by The New York Central Railroad Company on the scales located at the north end of its Weehawken Yard only, of tank cars to be loaded with imported vegetable oils by the Harbor Tank Storage Company at its Guttenberg Plant at Weehawken, N. J., provided the said company surrenders a written order for the lightweighing on which it certifies that the car ordered to be lightweighed will be loaded only with imported vegetable oils; and by The Delaware, Lackawanna and Western Railroad Company at its Hoboken terminal yard, of tank cars to be loaded with imported vegetable oils by the Harlon Tank Storage Company at its Lackawanna Plant at Jersey City, N. J., provided the said company surrenders a written order for the lightweighing on which it certifies that the car ordered lightweighed will be loaded only with imported vegetable oils.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under

the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 25th day of March 1947.

V. C. CLINGER,
Director,
Bureau of Service.

[F. R. Doc. 47-3011; Filed, Mar. 31, 1947;
8:47 a. m.]

NATIONAL HOUSING AGENCY

Federal Housing Administration

2½ PERCENT WAR HOUSING INSURANCE
FUND DEBENTURES, SERIES H

NOTICE OF FIRST CALL FOR PARTIAL REDEMPTION BEFORE MATURITY

MARCH 18, 1947.

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U. S. C., Title 12, 1701 et. seq.) as amended, public notice is hereby given that 2½ percent War Housing Insurance Fund Debentures, Series H, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1947, on which date interest on such debentures shall cease:

2½ PERCENT WAR HOUSING INSURANCE FUND
DEBENTURES, SERIES H

Denomination:	Serial Nos. (all numbers inclusive)
859	40 to 507
8109	319 to 1,849
8593	105 to 603
81,030	313 to 2,680
85,009	1 to 53
810,009	1 to 143

The debentures first issued as determined by the serial numbers were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1947. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1947, and provision will be made for the payment of final interest due on July 1, 1947, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1, 1947 to June 30, 1947, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after July 1, 1947, or for purchase

prior to that date will be given by the Secretary of the Treasury.

RAYMOND M. FOLEY,
Commissioner.

Approved:

JOHN W. SNYDER,
Secretary of the Treasury.

[F. R. Doc. 47-3022; Filed, Mar. 31, 1947;
8:46 a. m.]

**2¾ PERCENT WAR HOUSING INSURANCE
FUND DEBENTURES, SERIES G**

**NOTICE OF FIRST CALL FOR REDEMPTION
BEFORE MATURITY**

MARCH 18, 1947.

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U. S. C., Title 12, 1701 et seq.) as amended, public notice is hereby given that 2¾ percent War Housing Insurance Fund Debentures, Series G, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1947, on which date interest on such debentures shall cease:

**2¾ PERCENT WAR HOUSING INSURANCE FUND
DEBENTURES, SERIES G**

Denomination:	Serial Nos. (all numbers inclusive)
\$50-----	501 to 558
\$100-----	2,001 to 2,242
\$500-----	1,001 to 1,058
\$1,000-----	3,001 to 3,354
\$5,000-----	251 to 284

The debentures first issued as determined by the serial numbers were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1947. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1947, and provision will be made for the payment of final interest due on July 1, 1947, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1, 1947 to June 30, 1947, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after July 1, 1947, or for purchase prior to that date will be given by the Secretary of the Treasury.

RAYMOND M. FOLEY,
Commissioner.

Approved:

JOHN W. SNYDER,
Secretary of the Treasury.

[F. R. Doc. 47-3023; Filed, Mar. 31, 1947;
8:46 a. m.]

**2¾ PERCENT MUTUAL MORTGAGE INSURANCE
FUND DEBENTURES, SERIES B
AND E**

**NOTICE OF CALL FOR REDEMPTION BEFORE
MATURITY**

MARCH 18, 1947.

Pursuant to the authority conferred by the National Housing Act (48 Stat. 1246; U. S. C., Title 12, 1701 et seq.) as amended, public notice is hereby given that 2¾ percent Mutual Mortgage Insurance Fund Debentures, Series B and E, of the denominations and serial numbers designated below, are hereby called for redemption, at par and accrued interest, on July 1, 1947, on which date interest on such debentures shall cease:

**2¾ PERCENT MUTUAL MORTGAGE INSURANCE
FUND DEBENTURES, SERIES B**

Denomination:	Serial Nos. (all numbers inclusive)
\$50-----	1,564 to 1,565
\$100-----	5,787 to 5,798
\$500-----	1,832 to 1,833
\$1,000-----	7,037 to 7,050

**2¾ PERCENT MUTUAL MORTGAGE INSURANCE
FUND DEBENTURES, SERIES E**

Denomination:	Serial Nos. (all numbers inclusive)
\$50-----	23 to 30
\$100-----	91 to 107
\$500-----	24 to 27
\$1,000-----	116 to 149
\$5,000-----	6 to —

The debentures first issued, as determined by the serial numbers, were selected for redemption by the Commissioner, Federal Housing Administration, with the approval of the Secretary of the Treasury.

No transfers or denominational exchanges in debentures covered by the foregoing call will be made on the books maintained by the Treasury Department on or after April 1, 1947. This does not affect the right of the holder of a debenture to sell and assign the debenture on or after April 1, 1947, and provision will be made for the payment of final interest due July 1, 1947, with the principal thereof to the actual owner, as shown by the assignments thereon.

The Commissioner of the Federal Housing Administration hereby offers to purchase any debentures included in this call at any time from April 1, 1947 to June 30, 1947, inclusive, at par and accrued interest, to date of purchase.

Instructions for the presentation and surrender of debentures for redemption on or after July 1, 1947, or for purchase prior to that date will be given by the Secretary of the Treasury.

RAYMOND M. FOLEY,
Commissioner.

Approved:

JOHN W. SNYDER,
Secretary of the Treasury.

[F. R. Doc. 47-3024; Filed, Mar. 31, 1947;
8:46 a. m.]

**SECURITIES AND EXCHANGE
COMMISSION**

[File No. 1-123]

BROWN-FORMAN DISTILLERS CORP.

**ORDER GRANTING APPLICATION TO STRIKE
FROM LISTING AND REGISTRATION**

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 26th day of March A. D. 1947.

The New York Curb Exchange, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the \$4.00 Cumulative Preferred Stock, Without Par Value, of Brown-Forman Distillers Corporation;

Appropriate notice and opportunity for hearing having been given to interested persons and the public generally;

No request having been received from any interested person for a hearing in this matter; and

The Commission having considered the facts stated in the application, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be, and the same is, hereby granted, effective at the close of the trading session on April 5, 1947.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-3012; Filed, Mar. 31, 1947;
8:47 a. m.]

[File No. 70-1463]

STATEN ISLAND EDISON CORP.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of March 1947.

Notice is hereby given that a declaration, as amended, has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Staten Island Edison Corporation ("Staten Island"), an indirect subsidiary of General Public Utilities Corporation, a registered holding company. Declarant has designated section 6 (a) of the act as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than April 11, 1947, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after April 11, 1947 said amended declaration, as

filed, or as further amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said declaration, as amended, which is on file in the offices of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

Staten Island proposes to issue and sell for cash at principal amount to three commercial banks an aggregate of \$1,000,000 principal amount of eleven month notes which will bear interest at the rate of $1\frac{1}{2}\%$ per annum. The net cash proceeds of the sale of the notes are to be used for construction requirements of the company and to repay an outstanding \$350,000 sixty day $1\frac{1}{2}\%$ promissory note maturing May 5, 1947.

Declarant states that the transaction is not subject to the jurisdiction of any commission other than this Commission.

Declarant requests that the Commission enter its order so as to permit consummation of the proposed transaction not later than April 15, 1947.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-3013; Filed, Mar. 31, 1947;
8:48 a. m.]

[File Nos. 70-1477, 70-1484]

PUBLIC SERVICE COMPANY OF INDIANA, INC.
AND MIDDLE WEST CORP.

NOTICE OF FILING, ORDER OF CONSOLIDATION
AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 25th day of March 1947.

Notice is hereby given that separate applications have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by The Middle West Corporation ("Middle West"), a registered holding company, and by its subsidiary, Public Service Company of Indiana, Inc. ("Public Service"). Public Service has designated section 6 (b) of the act and the exemptive provisions of Rule U-42 (b) (2) as applicable to the transactions proposed by it.

All interested persons are referred to said applications, which are on file in the offices of this Commission for statements of the transactions therein proposed which are summarized as follows:

Public Service proposes to issue \$11,077,800 aggregate principal amount of Fifteen Year $2\frac{3}{4}\%$ Convertible Debentures, due May 1, 1962, to be issued in denominations of \$200 and \$1,000. Such debentures will be offered to the common stockholders of Public Service through the issuance of subscription warrants to subscribe for and purchase debentures on the basis of \$10 principal amount for each share of common stock held. The

warrants will be issued as full and fractional subscription warrants. Full subscription warrants will entitle the holder thereof to subscribe for a \$200 debenture. Fractional warrants may be exercised when combined with other fractional warrants in amounts sufficient to subscribe for a \$200 debenture.

The debentures will be convertible, up to and including April 30, 1959, into shares of common stock of Public Service on the basis of five shares for each \$200 face amount of debentures, and will be issued pursuant to an indenture which, among other things, provides for protection against future dilution due to the issuance of additional common stock.

The company contemplates that the subscription period will run for approximately twenty days from the date of the warrants and that, thereafter, the company will file a further application with this Commission for approval of the disposition, by public or private sale, of such debentures as are not taken by subscription.

Public Service proposes to use the net proceeds from the sale of such debentures, together with general treasury funds, to prepay \$11,500,000 aggregate principal amount of $2\frac{1}{4}\%$ bank loan notes, maturing serially to September 1, 1955, which are now outstanding.

Middle West, the owner of 224,586 shares (approximately 20.27%) of the common stock of Public Service, requests approval of the acquisition of such warrants as may be issued to it and approval of the exercise or sale of such warrants. The application further states that in the event Middle West elects to sell such warrants, an amendment setting forth the terms and conditions of such sale will be filed herein.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to the matters set forth in said applications, and that said applications shall not be granted except pursuant to further order of this Commission; and

It further appearing to the Commission that said applications contain related matters and may involve common questions of law or fact and should be consolidated and heard together;

It is ordered, That said applications be consolidated for the purpose of hearing thereon, without prejudice, however, to the right to separate for hearing, either in whole or in part, or for disposition, either in whole or in part, any of the issues or questions which may arise in these proceedings or to take such other action as may appear necessary to the orderly and economical disposition of the matters involved.

It is further ordered, That a hearing on said consolidated applications, pursuant to the applicable provisions of the act and the rules and regulations thereunder, be held on April 4, 1947 at 10:00 a. m., e. s. t., at the offices of this Commission, 18th and Locust Streets, Philadelphia 3, Pa. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing shall be held.

Any person desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary of this Commission, on or before April 2, 1947, a written request relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That William W. Swift, or any other officer or officers of this Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Public Utilities Division of the Commission having advised the Commission that it has made a preliminary examination of the applications and that, upon the basis thereof, the following matters and questions are presented for consideration without prejudice, however, to the presentation of additional matters and questions upon further examination:

1. Whether the proposed issue and sale of warrants, debentures and common stock by Public Service are solely for the purpose of financing its business and have been expressly authorized by the State Commission of the state in which Public Service is organized and doing business.

2. Whether the terms and conditions of the proposed issue and sale of warrants, debentures and common stock are detrimental to the public interest or the interest of investors or consumers.

3. Whether the proposed acquisition by Middle West of additional securities of Public Service meets the applicable requirements of section 10 and whether, in the event Middle West elects to sell the warrants, any terms and conditions should be imposed for the protection of security holders of Middle West.

4. Whether the proposed accounting treatment of the transactions is proper and in conformity with sound accounting principles.

5. Whether the fees and expenses to be paid in connection with the proposed transactions are for necessary services and are reasonable in amount.

6. Generally, whether it is necessary or appropriate in the public interest or for the protection of investors or consumers to impose terms and conditions in respect of the proposed transactions.

It is further ordered, That the Secretary of the Commission shall serve a copy of this order by registered mail on Public Service, Middle West, the Federal Power Commission and the Public Service Commission of Indiana; and that notice of said hearing shall be given to all other persons by publication of this order in the FEDERAL REGISTER and by general release distributed to the press.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 47-3014; Filed, Mar. 31, 1947;
8:48 a. m.]

[File No. 70-1455]

DELAWARE POWER & LIGHT CO.

SUPPLEMENTAL ORDER RELEASING
JURISDICTION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 24th day of March 1947.

Delaware Power & Light Company (Delaware), a registered holding company and public utility company, having filed an application-declaration, with amendments thereto, under the Public Utility Holding Company Act of 1935 with respect to the issuance and sale, pursuant to the competitive bidding provisions of Rule U-50 of 50,000 shares of ----% Cumulative Preferred Stock of a par value of \$100 per share; and

The Commission having by order dated March 13, 1947, granted said application and permitted said declaration to become effective, except as to the price to be received for said stock, the dividend rate thereon, the underwriters spread and its allocation, and all legal fees and the fee of Delaware's financial adviser, as to which matters jurisdiction was reserved; and

Delaware having filed a further amendment to the application-declaration in which it is stated that, in accordance with the permission granted by the said order of the Commission dated March 13, 1947, it offered such preferred stock for sale pursuant to the competitive bidding requirements of Rule U-50 and received the following bids:

Bidder	Price to company	Dividend rate	Cost to company
The First Boston Corp. and Blyth & Co., Inc.	101.52	3.70	3.6446
Shields & Co. and White, Weld & Co.	100.13939	3.65	3.6449
W. O. Langley & Co.	100.10	3.55	3.6404
Lazard Freres & Co.	100.7799	3.70	3.6714
Morgan Stanley & Co.	100.71	3.70	3.6739
Oils & Co.	100.607	3.75	3.7274

The said amendment having further stated that Delaware has accepted the bid of The First Boston Corp. and Blyth & Co., Inc. for the Preferred Stock, as set out above, and that such stock will be offered for sale to the public at a price of 102.77 resulting in an underwriters' spread of 1.25; and

The Commission now having been furnished with information in respect of the services of: (a) Ballard, Spahr, Andrews & Ingersoll and Southerland, Berl & Potter, as counsel for Delaware, for which services' fees in the amount of \$8,000 and \$2,500 are claimed, respectively; and (b) Drexel & Co. as financial adviser to Delaware for which service a fee of \$5,000 is claimed; and (c) Townsend, Elliott & Munson as counsel for underwriters, for which services a fee of \$6,500 is claimed; and

The Commission having examined such amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to the price to be received for said Preferred Stock, the dividend rate thereon, the underwriters' spread and its allocation, and it appearing that the legal fees and the fee of Delaware's financial

adviser are not unreasonable under the circumstances of this case:

It is ordered, That jurisdiction heretofore reserved over the price to be received for said Preferred Stock, the dividend rate thereon, the underwriters spread and its allocation and all legal fees and the fee of Delaware's financial adviser, be, and the same hereby is, released and said application-declaration be, and the same hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.[F. R. Doc. 47-3015; Filed, Mar. 31, 1947;
8:48 a. m.]

[File No. 70-1431]

WISCONSIN HYDRO ELECTRIC CO.

ORDER GRANTING APPLICATION AND PERMITTING
DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 25th day of March A. D. 1947.

Wisconsin Hydro Electric Company ("Wisconsin Hydro"); a public utility company and a subsidiary of Eastern Minnesota Power Corporation, a registered holding company, having filed an application as amended pursuant to section 6 of the Public Utility Holding Company Act of 1935 and Rule U-50 promulgated thereunder regarding the following proposed transaction:

Wisconsin Hydro proposes to issue and sell \$1,750,000 principal amount of 3½% First Mortgage Bonds due 25 years from date and \$250,000 principal amount of 3% Serial Notes due \$25,000 semi-annually. Wisconsin Hydro has requested an exemption from the competitive bidding requirements of Rule U-50 and has proposed to sell the bonds to Massachusetts Mutual Life Insurance Company, Equitable Life Insurance Company of Iowa, and Modern Woodmen of America, and to sell the notes to Harris Trust and Savings Bank, Chicago, Illinois, at principal amount. The proceeds of said bonds and notes will be used in payment of the 5% First Mortgage Bonds of Wisconsin Hydro presently outstanding in the principal amount of \$2,077,000, which mature October 1, 1947; and

The application-declaration having been filed January 3, 1947, and an amendment thereto having been filed on March 25, 1947, and notice of said filing, as amended, having been given in the form and manner prescribed by Rule U-23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said application and declaration, as amended, within the period specified or otherwise, and not having ordered a hearing thereon; and

The Commission finding with respect to the said application and declaration as amended that the issuance and sale of the securities have been approved by the Public Service Commission of Wis-

consin and that the requirements of the applicable provisions of the act and rules promulgated thereunder are satisfied, and that no adverse findings are necessary thereunder and deeming it appropriate in the public interest and in the interest of investors and consumers that the said application and declaration, as amended, be granted and permitted to become effective, and deeming it appropriate to grant the request of applicant and declarant that the order become effective at the earliest date possible;

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of said act, and subject to the terms and conditions prescribed in Rule U-24, that said application and declaration, as amended, be, and the same hereby is granted and permitted to become effective forthwith.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.[F. R. Doc. 47-3016; Filed, Mar. 31, 1947;
8:48 a. m.]

SELECTIVE SERVICE SYSTEM

[Order 331]

APPLICATION AND PERSONAL HISTORY STATEMENT; AFFIDAVIT—OCCUPATIONAL CLASSIFICATION

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following changes in DSS Forms:

Discontinuance of DSS Form 25, entitled "Application and Personal History Statement".

Discontinuance of DSS Form 42A Special, entitled "Affidavit—Occupational Classification (Form 42A Special)".

The foregoing changes shall become effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 27, 1947.

[F. R. Doc. 47-3052; Filed, Mar. 31, 1947;
8:49 a. m.]

[No. 332]

REQUEST FOR TRANSFER OF RECORDS

ORDER PRESCRIBING FORMS

Pursuant to authority contained in the Selective Training and Service Act of 1940, as amended, I hereby prescribe the following change in DSS Forms:

Discontinuance of DSS Form 64, entitled "Request for Transfer of Records."

The foregoing change shall become effective immediately upon the filing hereof with the Division of the Federal Register.

LEWIS B. HERSHEY,
Director.

MARCH 28, 1947.

[F. R. Doc. 47-3113; Filed, Mar. 31, 1947;
10:56 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 8463]

PAUL FAHR AND LOUISE FAHR STEINHAUSER KAUTZSCH

In re: Interest in real property, property insurance policies and claim owned by Paul Fahr and Louise Fahr Steinhauser Kautzsch.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Paul Fahr and Louise Fahr Steinhauser Kautzsch whose last known addresses are Berlin, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. An undivided two-thirds interest in real property, situated in the City of Indianapolis, County of Marion and State of Indiana, particularly described in Exhibit A, attached hereto, and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property;

b. All right, title and interest of the persons named in subparagraph 1, in and to the following insurance policies:

Fire and Windstorm Insurance Policy No. 2216, issued by Connecticut Fire Insurance Company, Hartford, Connecticut, in the amount of \$4,000.00, in the name of Dunlop & Holtegel, Trustees, which policy insures the property described in subparagraph 2-a hereof and expires March 18, 1948;

Fire and Windstorm Insurance Policy No. 1996, and any extensions thereto, issued by Connecticut Fire Insurance Company, Hartford, Connecticut, in the amount of \$1,500.00, in the name of Dunlop & Holtegel, Trustees, which policy insures the property described in subparagraph 2-a hereof and expires March 10, 1947;

Landlords', Tenants' and Owners' Liability Policy No. 53356, as evidenced by Renewal Certificate No. 103462, issued by Glens Falls Indemnity Company, Glens Falls, New York, in the amount of \$5,000/\$10,000, in the name of Dunlop & Holtegel, Trustees, which policy insures the property described in subparagraph 2-a hereof and expires October 17, 1947, and

c. Those certain debts or other obligations, owing to the persons named in subparagraph 1 hereof, by Dunlop & Holtegel, 128 East Market Street, Indianapolis, Indiana, including but not limited to rents collected from the real property described in subparagraph 2-a hereof, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraphs 2-b and 2-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 20, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,
Director.

EXHIBIT A

Thirty-Three (33) feet Six Inches (6") off the North side of Lot numbered Four (4) in Austin W. Morris' Subdivision of the Northeast quarter (1/4) of Square Eighty-eight (88) of the Donation Lands of the City of Indianapolis, Marion County, Indiana.

[F. R. Doc. 47-3038; Filed, Mar. 31, 1947; 8:47 a. m.]

[Vesting Order 8463]

JOHN MORGANSTEIN

In re: Guardianship Estate of John Morganstein, (Johan Morgenstein). File D-17-189; E. T. sec. 4353.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That John Morganstein (Johan Morgenstein), whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the Guardianship Estate of John Morganstein (Johan Morgenstein) is property payable or de-

liverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Peoples First National Bank and Trust Company, as Guardian, acting under the judicial supervision of the Orphans' Court of Allegheny County, Pennsylvania;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 20, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,
Director.

[F. R. Doc. 47-3039; Filed, Mar. 31, 1947; 8:48 a. m.]

[Vesting Order 8471]

BANK VOOR HANDEL EN SCHEEPVAART, N. V.

In re: Stock, bonds and debenture stock owned by and debt owing to Bank voor Handel en Scheepvaart, N. V.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Bank voor Handel en Scheepvaart, N. V., is a corporation organized under the laws of The Netherlands, whose principal place of business is located at Rotterdam, The Netherlands, and is or since the effective date of Executive Order 8389, as amended, has been acting directly or indirectly for the benefit or on behalf of a national of Germany is, a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the name of Brown Brothers Harriman & Company and presently in the custody of Union Banking Corporation, c/o Office of Alien Property, 120 Broadway, New York, New York, together with all declared and unpaid dividends thereon,

b. Those certain bonds described in Exhibit B, attached hereto and by reference made a part hereof, issued in the

name of bearer and presently in the custody of Union Banking Corporation, c/o Office of Alien Property, 120 Broadway, New York, New York, together with any and all rights thereunder and thereto,

c. One hundred sixty-eight (168) shares of \$25 par value ordinary capital stock of Canadian Pacific Railway Company, Montreal, Quebec, Canada, a corporation organized under the laws of the Dominion of Canada, evidenced by certificates numbered H104520, L355733 and L128150, registered in the name of Kauffmann & Company and presently in the custody of Union Banking Corporation, c/o Office of Alien Property, 120 Broadway, New York, New York, together with all declared and unpaid dividends thereon,

d. One (1) certificate for Canadian Pacific Railway Company perpetual 4% consolidated debenture stock, of \$500 face value, bearing the number H255, issued in the name of bearer and presently in the custody of Union Banking Corporation, c/o Office of Alien Property, 120 Broadway, New York, New York, together with any and all rights thereunder and thereto, and

e. That certain debt or other obligation owing to Bank voor Handel en Scheepvaart, N. V., by Union Banking Corporation, c/o Office of Alien Property, 120 Broadway, New York, New York, in the amount of \$5,462.90, as of December 31, 1946, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same, is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That the person named in subparagraph 1 hereof is controlled by or acting for or on behalf of a designated enemy country (Germany) or a person within such country and is a national of a designated enemy country (Germany); and

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 20, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,
Director.

EXHIBIT A

Name and address of issuing corporation	Place of incorporation	Type of stock	Number of shares	Certificate No.
The American Rolling Mill Co., 703 Curtis St., Middletown, Ohio.	Ohio.....	\$10 par value common stock.	25	71932
American Telephone & Telegraph Co., 195 Broadway, New York, N. Y.	New York.....	\$100 par value capital stock.	120	(A376163 A376108)
Columbia Gas & Electric Corp., 902 Market St., Wilmington, Del.	Delaware.....	No par value common stock.	15	CN0367263
The Commonwealth & Southern Corp., 902 Market St., Wilmington, Del.	do.....	do.....	20	486914
Consolidated Natural Gas Co., 30 Rockefeller Plaza, New York, N. Y.	do.....	\$15 par value capital stock.	6	130700
Electric Bond & Share Co., Two Rector St., New York, N. Y.	New York.....	\$5 par value common stock.	10	W0571001
General American Transportation Corp., 135 South La Salle St., Chicago, Ill.	do.....	\$5 par value common stock.	30	NYE3597
The Lambert Co., 9 Rockefeller Plaza, New York, N. Y.	Delaware.....	No par value common stock.	25	XC0117870
P. Lorillard Co., 119 West 40th St., New York, N. Y.	New Jersey.....	\$10 par value common stock.	10	J102923
Mission Corp., 15 Exchange Pl., Jersey City, N. J.	Nevada.....	\$10 par value capital stock.	3	(F164894 F165511 160497)
Norfolk & Western Ry. Co., Roanoke, Va.	Virginia.....	\$100 par value common stock.	25	F33470
The Pennsylvania RR. Co., Broad Street Station Bldg., Philadelphia, Pa.	Pennsylvania.....	Capital stock.....	76	(CC221619 CC972039 CC221043 66214)
Standard Oil Co., 30 Rockefeller Plaza, New York, N. Y.	New Jersey.....	\$25 par value capital stock.	63	
Union Carbide & Carbon Corp., 30 East 42d St., New York, N. Y.	New York.....	No par value capital.	5	66214
Rudolph Karstadt, Inc., Fehrbelliner Platz 1 Berlin-Wilmersdorf, Germany.	Germany.....	American shares.....	200	(N2762 N2763)

EXHIBIT B

Description of issue	Certificate No.	Face value
United Steel Works Corp. sinking fund 6½ percent gold bonds, series A, due 1951.	(M 23453..... M 24177..... M 3573.....)	\$1,000 1,000 1,000
United Steel Works Corp. sinking fund 6½ percent gold bonds, series C, due 1951.	(C 18593..... C 18539..... C 18940.....)	100 100 100
The Pennsylvania R. R. Co. 3¼ percent convertible debentures, due 1952.	(M 9317/66..... D 419..... M 27949.....)	\$1,000 500 1,000
Republic of Bolivia external 7 percent sinking fund bonds, due 1953.	(M 4327..... M 4379/80..... M 4531/4.....)	1,000 1,000 1,000
Mortgage Bank of Chile guaranteed 6½ percent sinking fund bond, due 1957.	(M 4531/2..... M 5905/10..... M 7465.....)	1,000 1,000 1,000
Republic of Peru external 6 percent bonds, due 1960.		
Rheinische-Union 20-year sinking fund mortgage 7 percent gold bonds, due 1946.		
Saxon Public Works, Inc., general and refunding guaranteed 6½ percent gold bonds, due 1951.		

¹ Each.

[F. R. Doc. 47-3041; Filed, Mar. 31, 1947; 8:48 a. m.]

[Vesting Order 8467]

CHARLES VOGT, JR.

Trust u/w of Charles Vogt, Jr., deceased. File D-28-6591; E. T. sec. 4866.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Babette Dengel and Mrs. Madeline Travers (formerly Maria M. Dengel), whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the issue, names unknown, of Mrs. Madeline Travers (formerly Maria M. Dengel), who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, and each of them, in and to the trust created under the will of Charles Vogt, Jr., deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by City Bank Farmers Trust Company, as trustee, acting under the judicial supervision of the Surrogate's Court of Kings County, New York;

and it is hereby determined:

5. That to the extent that the above named persons and the issue, names unknown, of Mrs. Madeline Travers (formerly Maria M. Dengel), are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 20, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-3040; Filed, Mar. 31, 1947;
8:48 a. m.]

[Vesting Order 8474]

HEINRICH BUCKMANN ET AL.

In re: Bank accounts owned by Heinrich Buckmann et al.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons named in Exhibit A, attached hereto and by reference made a part hereof, whose last known addresses are as set forth in Exhibit A, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: Those certain debts or other obligations owing to the persons named in Exhibit A by American Trust Company, 464 California Street, San Francisco, California, arising out of the savings accounts, entitled and numbered as set forth opposite the names of the persons listed in the aforesaid Exhibit A, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 20, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

EXHIBIT A

Name and last known address of owner	Title of account	Account No.	Alien property file No.
Heinrich Buckmann, Blannen, Germany.....	Heinrich Buckmann.....	4567	F-23-23675-E-1
Lulise Buckmann, nee Kuhlbing, Blannen, Germany.....	Lulise Buckmann, nee Kuhlbing.....	4501	F-23-23674-E-1
Heinrich Dohrmann, Blannen, Germany.....	Heinrich Dohrmann.....	4122	F-23-23426-E-1
Dietrich Dohrmann, Buhren, Germany.....	Dietrich Dohrmann.....	4507	F-23-23427-E-1
Mimi Winkelmann, nee Kuhlbing, Buhren, Germany.....	Mimi Winkelmann, nee Kuhlbing.....	4516	F-23-23675-E-1
Lisbeth Oelrich, nee Meyer, Blannen, Germany.....	Lisbeth Oelrich, nee Meyer.....	4217	F-23-23644-E-1
Lulise Kamman, nee Dohrmann, Blannen, Germany.....	Lulise Kamman, nee Dohrmann.....	4389	F-23-26431-E-1
Minna Muller, nee Buckmann, Blannen, Germany.....	Minna Muller, nee Buckmann.....	4343	F-23-26666-E-1
Heinrich Kuhlbing, Buhren, Germany.....	Heinrich Kuhlbing.....	4564	F-23-27313-E-1
Marie Schwecke, nee Meyer, Blannen, Germany.....	Marie Schwecke, nee Meyer.....	4514	F-23-26669-E-1
Karoline Schafer, nee Dohrmann, Blannen, Germany.....	Karoline Schafer, nee Dohrmann.....	4237	F-23-26237-E-1

[F. R. Doc. 47-3042; Filed, Mar. 31, 1947; 8:48 a. m.]

[Vesting Order 8482]

MASU KAJIMOTO

In re: Debt owing to Masu Kajimoto. F-39-1055-C-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Masu Kajimoto, whose last known address is Kukagun, Yamaguchiken, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Masu Kajimoto, by Midori Matayoshi, 59 Hoku Street, Hilo, Hawaii, T. H., in the amount of \$1,250, as of December 31, 1945, together with any and all accruals thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 20, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-3043; Filed, Mar. 31, 1947;
8:48 a. m.]

[Vesting Order 8487]

KYUGO OHTA AND KATSUO KIKUTA

In re: Stock and claims owned by Kyugo Ohta and Katsuo Kikuta. D-39-17437-D-1, F-39-1225-D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the persons listed in subparagraph 2a, whose last known addresses are Japan, are residents of Japan and nationals of a designated enemy country (Japan);

2. That the property described as follows:

a. 110 shares of \$10 par value common capital stock of Hawaiian Distilleries, Ltd., 802-814 Kawaiahao Street, Honolulu 42, T. H., a corporation organized under the laws of the Territory of Hawaii, evidenced by the certificates listed below, registered in the names of and owned by the persons listed below in the amounts appearing opposite each name as follows:

Registered owner	Certificate No.	Number of shares
Kyugo Ohta.....	294 616-A	50
Katsuo Kikuta.....	295 617-A	5

together with all declared and unpaid dividends thereon, and

b. Those certain debts or other obligations owing to the persons named in Exhibit A, attached hereto and by reference made a part hereof, by Hawaiian Distilleries, Ltd., 802-814 Kawaiahao Street, Honolulu 42, T. H., in the amounts set forth in Exhibit A, as of December 31, 1945, together with any and all accruals

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thereto, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the persons listed in subparagraph 2a hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein, shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 20, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,
Director.

EXHIBIT A

Amount of dividends payable but unpaid as of Dec. 31, 1945, deposited in a special blocked account in the Bishop National Bank of Hawaii, Honolulu, T. H., in the name of Hawaiian Distilleries, Ltd., special blocked dividend account

Name:

Kyugo Ohta..... \$117.60
Katsuo Kikuta..... 11.76

[F. R. Doc. 47-3044; Filed, Mar. 31, 1947;
8:48 a. m.]

[Vesting Order CE 372]

COSTS AND EXPENSES INCURRED IN CERTAIN ACTIONS OR PROCEEDINGS IN CERTAIN NEW YORK COURTS

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it having been found:

1. That each of the persons named in Column 1 of Exhibit A, attached hereto and by reference made a part hereof, was a person within the designated enemy country or the enemy-occupied territory identified in Column 2 of said Exhibit A opposite such person's name;

2. That it was in the interest of the United States to take measures in connection with representing each of said persons in the court or administrative action or proceeding identified in Column 3 of said Exhibit A opposite such person's name, and such measures having been taken;

3. That, in taking such measures in each of such actions or proceedings, costs and expenses have been incurred in the amount stated in Column 4 of said Exhibit A opposite the action or proceeding identified in Column 3 of said Exhibit A;

Now, therefore, there is hereby vested in the Attorney General of the United

States, to be used or otherwise dealt with in the interest of and for the benefit of the United States, interests in the property which said persons obtain or are determined to have as a result of said actions or proceedings in amounts equal to the sums stated in Column 4 of said Exhibit A.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended. The term "enemy-occupied territory" as used herein shall have the meaning prescribed in Rules of Procedure, Office of Alien Property, § 501.6 (8 CFR, Cum. Supp., 503.6).

Executed at Washington, D. C., on March 25, 1947.

For the Attorney General.

[SEAL]

DONALD C. COOK,
Director.

EXHIBIT A

Column 1 Name	Column 2 Country or territory	Column 3 Action or proceeding	Column 4 Sum vested
<i>Item 1</i>			
Teresa Scalise.....	Italy.....	Estate of Geraldo Scalise, also known as Geraldo Scall, also known as Jerry Scalise, deceased, in the Surrogate's Court, Westchester County, N. Y.	\$79.00
<i>Item 2</i>			
Gesara Scalise.....	do.....	Same.....	47.00
<i>Item 3</i>			
Gessaro Scalise.....	do.....	Same.....	24.00
<i>Item 4</i>			
Antonia Scalise.....	do.....	Same.....	24.00
<i>Item 5</i>			
John Romagnuolo (Romagnolo).....	do.....	Estate of Frances Romagnolo, also known as Frances Romagnuolo, deceased, in the Surrogate's Court, Queens County, N. Y.; Docket No. F-1932-1945.	10.00
<i>Item 6</i>			
Joseph Romagnuolo.....	do.....	Same.....	16.00
<i>Item 7</i>			
Joseph Passerini.....	do.....	Estate of Agostino Passerini, deceased, in the Surrogate's Court, New York County, N. Y.; Index No. P-996-1943.	38.00
<i>Item 8</i>			
Maria Passerini.....	do.....	Same.....	38.00
<i>Item 9</i>			
T. Ellett Hodgskin.....	do.....	Estate of Mathilde C. Hodgskin, deceased, in the Surrogate's Court, Kings County, N. Y.; Docket No. 7481-1943.	25.00
<i>Item 10</i>			
Marion Hodgskin.....	do.....	Same.....	25.00
<i>Item 11</i>			
Giuseppina Blondo (nee Lo Cicero).....	do.....	Estate of Luigi Lo Cicero, deceased, in the Surrogate's Court, Nassau County, N. Y.; Docket No. 40517.	25.00

[F. R. Doc. 47-2998; Filed, Mar. 28, 1947; 8:51 a. m.]